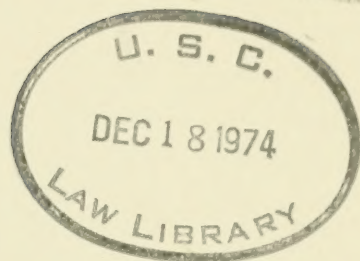



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ACTS AND JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,
PASSED AT THE
REGULAR SESSION OF 1871-'72.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO
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ACTS OF THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

Passed at the Regular Session, which was begun to be held at the city of Columbia, on the fourth Tuesday in November, A. D. 1871.

ROBERT K. SCOTT, Governor. ALONZO J. RANSIER, President of the Senate. FRANKLIN J. MOSES, Jr., Speaker of the House of Representatives.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE PER DIEM AND MILEAGE OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS, AND OTHER EXPENSES INCIDENTAL THERETO.

A. D. 1871.
No. 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred thousand dollars, if so much be necessary, be, and is hereby, appropriated out of any money in the Treasury, for the payment of the per diem and mileage of the members of the General Assembly, and the salaries of the subordinate officers, and other incidental expenses of the present session, commencing November 28, 1871.

One hundred thousand dollars appropriated for payment of expenses of present session.

SEC. 2. That the sum of one hundred thousand dollars, if so much be necessary, be, and is hereby, appropriated for the payment of any outstanding pay certificates for the per diem and mileage of the members of the General Assembly, at its session, ending March 7, 1871, including all certificates given to subordinate officers for services connected therewith: *Provided*, That the above appropriation shall be used for no other purpose.

One hundred thousand dollars appropriated for payment of outstanding certificates of last session.

SEC. 3. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish

Certificates—by whom furnished.

A. D. 1872.

to each member of their respective bodies a pay certificate for the amount of the mileage and per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct.

By whom
certified and
attested.

SEC. 4. That such certificate shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

Pay of sub-
ordinates and
employees—
how fixed.

SEC. 5. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with certificates of pay, in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That their pay certificates, for services rendered common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Treasurer au-
thorized to
pay expenses
at his coun-
ter.

SEC. 6. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury office all moneys from incoming taxes.

SEC. 7. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 21, 1871.

No. 2.

AN ACT TO INCORPORATE THE TOWN OF MIDWAY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the Town of Midway, shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be called and known by the name of Midway; and its limits shall be deemed and held to extend four hundred and fifty yards in each direction from the present railroad depot in said town.

Corporate
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in March next, on which day, as well as on the fourth Monday of March of each year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United

States, and shall have been residents of said town for sixty days immediately preceding said election, at such places in said town as the Intendant and Wardens shall designate, ten days' public notice thereof being previously given, in writing; and that all male inhabitants of said town, of the age of twenty-one years, who shall have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine o'clock in the morning until three o'clock in the afternoon, when the polls shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election. That the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of Midway, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes of my appointment: So help me God."

A. D. 1872.

Electors.

Election.

Oath of office.

SEC. 3 That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given; and in the case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancies—how filled.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, in matters civil and criminal, within the limits of said town. That the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Midway; and they and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many persons to act as Marshals and Constables, as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain

Judicial powers.

Marshals—jurisdiction and duties.

A. D. 1872.

Rules and
by-laws.

and establish all such rules and by laws and ordinances respecting the streets, ways, public well, and watering places, market and police of the said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars. All fines may be recovered by an action for debt before a proper tribunal.

Nuisances.

SEC. 5. That the said Council shall have power to abate and remove nuisances within the limits of said town; and also to classify and arrange the inhabitants liable to public duty, and to require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now, or may hereafter be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with persons liable to perform such duty, upon such terms as they shall, by ordinance, establish.

Streets and
ways.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways, which may be necessary for public use, within the limits of the said town, open and in good repair, and, for that purpose, they are hereby vested with all the powers, rights and privileges granted by law to the County Commissioners, within the limits of said town, and, for any neglect of duty, they shall be liable to the pains and penalties imposed by law upon County Commissioners for like neglect; and they are hereby, individually, exempt from the performance of road and police duty; and the inhabitants of said town are hereby exempt from road and police duty without the limits of said corporation.

Commutation

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the said corporation.

May hold and
dispose of
property.

SEC. 8. That the said Town Council of Midway shall also be empowered to retain, possess and enjoy all such property as they may now be possessed of, or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall, in no case, exceed fifteen thousand dollars.

Annual tax.

SEC. 9. That the said Town Council of Midway shall have power to impose an annual tax on all real and personal property within the corporate limits of said town: *Provided,* Said tax does not exceed ten cents on the one hundred dollars.

SEC. 10. That the Intendant and Wardens of the Town of Midway shall have power to regulate sales at auction, within the limits of said town, and to grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerk of Court, Judge of Probate, Coroner, Executors, Administrators, Assignees, or by any other person, under the order of any Court or Trial Justices.

A. D. 1872.

Sales at auction.

SEC. 11. That the Intendant and Wardens of the Town of Midway shall have power and authority to require all persons owning a lot or lots, in said Town of Midway, to keep in repair the sidewalks adjacent to their lots, respectively; and, for default in this matter, shall have power and authority to have the work done at the expense of such lot owners.

Sidewalks.

SEC. 12. That the power to grant or refuse licenses to keep a tavern, or to retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of the Town of Midway; and that they be also invested with all necessary power, by ordinance, or ordinances, to suppress or regulate the sale of intoxicating drinks, to be drunk at the place where sold, or in or upon any of its appurtenances, or in or upon any of the highways, streets, lanes, alleys, commons, kitchens, stores, public buildings, booths, stalls, or out-houses of the said town, or within one-fourth of a mile of the present railroad depot, in the town of Midway, in the County of Barnwell: *Provided*, That no rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. That this Act shall be taken and deemed as a public Act in all Courts of Justice, and shall continue of force for the term of fourteen years from its passage.

Approved January 8, 1872.

AN ACT TO MORE EFFECTUALLY PROVIDE FOR THE RECORDING OF ALL CONVEYANCES OF REAL ESTATE.

No. 3.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That every conveyance of real estate, within this State, hereafter made, shall, within thirty-three days, be recorded in the office of the Clerk of the County in which such real estate shall be situated, except in the County of Charleston, where all such conveyances shall be recorded, within the same time, in the office of the Register of Mesne Conveyance; and every such conveyance, not so recorded, shall be

Conveyances to be recorded within thirty-three days, in Clerk's office.

Conveyances in Charleston County to be recorded in office of Register of Mesne Conveyance.

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Conveyances
not so record-
ed, void.

void, as against any subsequent purchases, in good faith, and for a valuable consideration, of the same real estate, or any portion thereof: *Provided*, Such subsequent purchaser shall have first recorded his said conveyance.

Clerks of
Counties to
provide dif-
ferent sets of
books.

SEC. 2. Different sets of books shall be provided by the Clerks of the several Counties for the recording of deeds and mortgages; in one of which sets, all conveyances, absolute in their terms, and not intended as mortgages, or as sureties in the nature of mortgages, shall be recorded; and in the other set, all such mortgages, or sureties in the nature of mortgages, shall be recorded.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved January 8, 1872.

No. 4. AN ACT TO INCORPORATE THE HUNTOON CHEMICAL AND SOAP COMPANY, OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, S. A. Swails, L. Wimbush, William Simons, H. W. Purvis, J. E. Green, Anson W. Thayer, H. H. Montgomery, John B. Dennis, Edward Mickey, James Davis, B. A. Nerland, John Bates, Timothy Hurley, A. H. Monteith, C. D. Hayne, R. H. Cain, S. B. Thompson, H. H. Hunter, W. H. Jones, J. N. Hayne, J. Mobley, John Meade, W. J. Whipper, S. Farr, B. A. Bosemon, M. J. Calnan, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the "Huntoon Chemical and Soap Company," for the purpose of manufacturing chemicals and soap, and disposing of the same, and for the purpose of carrying on such other business as may be connected therewith, with a capital of one million dollars, in shares of one hundred (100) dollars each, with the privilege of establishing its principal office in the city of Charleston, and a branch establishment at Columbia.

SEC. 2. That said Company shall have succession of officers and members, to be chosep according to the rules and by-laws made, and to be made, for their government and direction, and shall have power and authority to make by-laws, (not repugnant to the laws of the land;) to make, have and use a common seal, and the same to alter at will; to sue and be sued in any Court in this State; to

A. D. 1-72.

purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said Company is established.

SEC. 3. This corporation shall enjoy all the privileges that are awarded under the general laws of the State to any corporation, together with the special privileges accorded by this charter.

Approved January 8, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF UNION.

No. 5.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all and every person or persons whatsoever, who are constitutionally qualified to vote for members of the Legislature of this State, and who may have resided within the present corporate limits of the town of Union sixty days, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

SEC. 2. That the said persons, and their successors, shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Union, and its corporate limits shall extend one mile, in the direction of cardinal points, from the Spartanburg and Union Railroad Depot, in said town, as a centre, and form a square.

Corporate limits.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday of September in each year, ten days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and that all male inhabitants of said town, who shall have attained the age of twenty-one years, and resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Electors.

SEC. 4. That the election of Intendant and Wardens of the said town shall be held in some convenient public place in said town, from nine o'clock in the morning until six o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens, for the time being, shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take an oath

Election.

Managers.

A. D. 1872.

Oath of office.

fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Union, I will equally and impartially, to the best of my ability, execute the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God."

Vacancy.

SEC. 5. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held, by the appointment of the Intendant and Warden, or Wardens, as the case may be, fifteen days' previous notice being given; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act as Intendant during the time.

Judicial powers.

SEC. 6. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, within the limits of the said town; and the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business; and they shall be known by the name of the

General powers.

Town Council of Union; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy, to them, and their successors, in perpetuity, or for any term of years, any estate, real or personal, or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, market, commerce, trade, buildings and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Council may fix and impose fines and penalties and imprisonment in the County jail for the violation thereof, and appropriate the fines to the public use of the said corporation: *Provided*, That no fine shall exceed fifty dollars for any one offense, and no imprisonment shall exceed twenty days; and when any person shall be charged with an

Fines.

A. D. 1872.

offense, for which a fine of more than twenty dollars is ordained, the said charge will be heard and determined in an action of debt, to be brought in the name of the said Town Council, for the recovery of said fine, before a Court, having jurisdiction of causes of action of that amount, for Union County. And if the fine ordained be not more than twenty dollars, or the offense be one for which imprisonment is ordained, the said Town Council, or a quorum thereof, shall have power to hear and determine the said charge, and render judgment therein. In all cases of trials to be had before the said Town Council, as hereinafter provided, the party charged shall be cited to trial by a service upon him of a summons, under the hand of the Intendant, or any one of the Wardens, wherein shall be expressed, with certainty, the offense charged, and the time and place of trial, which service shall be made at least five days before the day of trial.

SEC. 7. That all fines imposed by the said Town Council, for any violation of ordinances or any default in the performance of street duty, shall be collected by a *feri facias*; and the said Town Council shall have power to procure and compel the attendance of witnesses by process similar to that which, by law, Magistrates may use in the trial of small and mean causes.

SEC. 8. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses for billiard tables, to keep tavern, or retail spirituous liquors, within the said limits, which licenses shall be granted in the same manner, and upon the same conditions, as they now are, or may hereafter be, under the laws of the State; and all the powers vested in the County Commissioners are hereby granted to the said Intendant, and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within said limits, without licenses, shall be appropriated to the public uses of the said corporation: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any license to keep a tavern or to retail spirituous liquors to extend beyond the term for which they shall have been elected.

SEC. 9. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted to the County Commissioners. They shall also have power to levy a tax upon the property of said town to keep the buildings in said town for educational purposes in repair. And they shall also have power to compound with all persons liable to work the streets, ways and roads in said town,

Licenses.

Roads and
streets.

A. D. 1872.

upon such terms as they shall, by ordinance, establish ; the money so received to be applied to the public use of the said corporation. And all persons refusing or failing to pay such commutation shall be liable to such fines and penalties as the said Town Council may impose. And no person, residing within the said limits, shall be liable to work on any road or bridge without the said limits, or be taxed or assessed for the same. The said Town Council shall have power to require license fees from the keepers of ten-pin alleys, or any other pin alleys, and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations, as they may, by ordinance, establish. They shall also have power to require license fees from itinerants, auctioneers, owners of public drays, wagons, livery stables, vehicles and horses kept for hire, within the corporate limits of said town. They shall also have power to impose an annual tax upon the property in said town, to wit: Upon all real estate, not exceeding ten cents on the value of one hundred dollars ; upon all stock in trade, not exceeding ten cents on every hundred dollars' worth of the value of said stock—the State assessment to be taken as the basis of taxation. And the said Town Council shall have power to enforce the payment of all taxes and assessments levied by the said Council against the property and persons of defaulters to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal or other person specially appointed by the said Council to collect the same ; and the money so collected shall be applied to the public uses of the said corporation. And all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof, in preference to all other debts due by the person owning the property at the time of the assessment, except debts due the State, which shall be first paid.

License fees.

Annual Tax-
ation.

Assessments.

Executions.

Sidewalks.

SEC. 10. That the said Town Council shall have power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front on, or adjoin, any public street of said town, if, in the judgment of the Council, said sidewalk shall be necessary ; the width thereof, and the manner of construction, to be designated and regulated by the said Council ; and for default or refusal, after reasonable notice, to make and keep in repair such sidewalks, the Town Council may cause the same to be made, or put in repair, and require the owner to pay the price of making or repairing ; and the said Town Council are hereby empowered to

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Marshals.

Plays.

Disposition
of fines.

Nuisances.

Board
Health. ofWidth
streets. ofFinal settle-
ment.

sue for and recover the same: *Provided*, That such contract for making or repairing be let to the lowest bidder.

SEC. 11. That the Intendant and Wardens shall have power, and are hereby authorized, to elect or appoint one or more Marshals, who shall be duly sworn in and invested with all the powers Constables now have by law, and whose jurisdiction and authority shall be confined to the corporate limits of said town; and the Intendant and Wardens, or any one or more of them, are hereby authorized to require the Marshal of said town, or any special Constable appointed by said Intendant and Wardens for that purpose, to commit to the jail of Union County, for a term not exceeding twenty-four hours, any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them. And all persons so imprisoned shall pay all costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine which the Council may impose for the offense for which he may have been committed.

SEC. 12. That said Council shall have power to collect licenses from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purpose of said corporation.

SEC. 13. That all fines which shall hereafter be collected, by conviction in the Court of Sessions, for retailing, without license, within the corporate limits of said town, shall be paid one-half to the informer, and the other half to the said Town Council, for the use of the said corporation.

SEC. 14. That the said Council shall have full power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty: *Provided*, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars.

SEC. 15. That all streets, hereafter to be opened in the said corporation, shall be at least sixty feet wide, except when such width cannot be allowed on account of permanent buildings erected, or in course of erection, at the time of the opening of said streets.

SEC. 16. That each Town Council shall, within one month after the expiration of their term of office, make out and return to their

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successors a full account, under oath, of their receipts and expenditures during their term, and shall pay over all moneys in their hands, belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure so to do, they shall be liable to the punishment prescribed in the seventeenth (17th) Section of this Act.

Violation or
neglect of
duty.

SEC. 17. That, for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to imprisonment and fine, not exceeding one hundred dollars, or imprisonment, not exceeding sixty days, or both, at the discretion of the Court, besides being liable for damages to any person injured.

SEC. 18. That this Act shall be a public Act, and continue of force for twenty years, and until the end of the session of the Legislature then next ensuing; and that all Acts and parts of Acts heretofore passed, inconsistent with, or repugnant to, this Act, be, and the same are hereby, repealed.

Approved January 8, 1872.

No. 6. AN ACT TO AMEND SECTION TWO HUNDRED AND SEVENTY-NINE OF THE CODE OF PROCEDURE OF THE STATE OF SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two hundred and seventy-nine of the Code of Procedure be amended by striking out the word "second," from the first line of said Section.

Approved January 8, 1872.

No. 7. AN ACT TO INCORPORATE THE MOUNTAINEER FIRE ENGINE COMPANY, OF WALHALLA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Corporators. Korber, John Dale, A. Brennecke, S. S. Smeltzer, Martin Ansel, P. Hoyt, H. Stucke, Jacob Schroder, Jr., Jas. Watson, and their successors in office, shall be known by the name and style of the

Mountainer Fire Engine Company, of Walhalla, South Carolina, be, and they are hereby, created and constituted a body corporate and politic, with a capital stock not to exceed the sum of five thousand dollars, with the right to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure; and with all the rights, privileges and immunities that are now, or hereafter may be, secured by law to like incorporated bodies.

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Title.

Capital stock.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and shall remain in force for the term of fourteen years.

Approved January 8, 1872.

AN ACT TO VALIDATE THE ACTION OF THE COUNTY COMMISSIONERS OF OCONEE COUNTY IN EXCHANGING AND CONVEYING THE LOT CEDED TO THEM TO BUILD A JAIL UPON. No. 8.

Whereas the County Commissioners of Oconee County, in the exercise of their discretion, changed the location of the jail for said County, and exchanged the lot ceded to the State for the purpose of erecting a jail for the one on which the jail now stands; and whereas the parties with whom the exchange was made have sold the said lot to Joseph J. Norton, and the said County Commissioners have executed titles to him; now, therefore,

Location of jail changed, and lot exchanged.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the action of the County Commissioners aforesaid be, and the same is hereby, validated, and the title of the State to the said lot conveyed to and confirmed in the said Joseph J. Norton, his heirs and assigns forever.

Action of County Commissioners validated.

Title to lot confirmed.

Approved January 8, 1872.

AN ACT TO INCORPORATE THE YOUNG MEN'S AFRICANUS DEBATING CLUB. No. 9.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. A. Davis, R. W. Givens, R. S. Robertson, F. J. Pugh, R. Nesbit, N. Lewis,

Corporators.

A. D. 1872.

Title.

Powers and
privileges.

A. Lathan, J. C. Finley and B. F. Dennis, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Young Men's Africanus Debating Club, situated in the city of Charleston.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members, according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by, it; and to sell, convey or mortgage the same, or any part thereof, at will.

May hold and
dispose of
property.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets or any property which it may acquire, in such real and personal property, bonds, stocks, or in securities, in such sums, and on such terms and conditions, as it may deem proper; and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held or owned by said corporation shall not exceed twenty-five thousand dollars.

Capital limited.

SEC. 4. This Act to continue in force during fifteen (15) years, and may be given in evidence without being specially pleaded.

Approved January 8, 1872.

No. 10. AN ACT TO RENEW THE CHARTER OF STRAWBERRY FERRY, OVER THE COOPER RIVER.

Strawberry
Ferry. Char-
ter renewed.In whom
vested.Powers and
privileges.

Rates of toll.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the ferry over the Cooper River, known as Strawberry Ferry, be, and the same is hereby, renewed for the term of seven years, from and after the passage of this Act; and the same is hereby vested in Mrs. Elizabeth Waring, her executors, administrators and assigns, subject to like powers, privileges and limitations as were formerly conferred upon the owner of said ferry by law: *Provided, however*, That the following rates of ferriage only shall be charged and collected, to wit: For foot passengers, each, ten cents; horses, each, ten cents; one horse, with buggy, wagon, or cart, and driver, fifty cents; two horses, with carriage, wagon, and driver,

seventy-five cents; cattle, ten cents, each, long ferriage; short ferriage to be one-half the above rates.

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SEC. 2. All persons attending public meetings and elections, and children going to and coming from school, shall be carried free.

Approved January 8, 1872.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF
GEORGETOWN. No. 11.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of the charter of the town of Georgetown as determines the day of election be, and the same is hereby, amended so as to fix the day of election of Intendant and Wardens of the town of Georgetown on the first Monday in April, eighteen hundred and seventy-two, (1872,) and on the first Monday of the same month in every year thereafter; said election to be held in some convenient public place in said town, from eight o'clock A. M., until five o'clock P. M.; and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, That the Intendant and Wardens now in office shall continue therein until their successors are elected and qualified.

Time and
place of elec-
tion fixed.

SEC. 2. That all laws now of force in relation to the election of Intendant and Wardens, except so far as hereby repealed, be and continue in force.

SEC. 3. That the Intendant and Wardens of the said town of Georgetown are hereby vested with all the power and authority over the poor within the town of Georgetown which, by the law, now belong, or may hereafter belong, to the County Commissioners of Georgetown County over the poor of said County. And, for the purpose of raising funds to provide for the comfort and support of the said poor, the said Intendant and Wardens may assess and collect a poor tax on the taxable property of the said town, in the same manner as they assess and collect taxes thereon for the support of the government of the town: *Provided*, That said tax shall not exceed ten (10) per cent. on the amount of taxes therein paid to the said town: *Provided, further*, That the tax payers of the said

Power and
authority
over the poor.

Tax for sup-
port of the
poor.

A. D. 1872.

town of Georgetown shall not be taxed for the support of the poor outside of the corporate limits of said town.

Approved January 8, 1872.

No. 12. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN TOWNS AND VILLAGES, AND TO RENEW AND AMEND CERTAIN CHARTERS HERETOFORE GRANTED."

Honea Path,
charter
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted," and approved at the session of the General Assembly, 1855, in so far as relates to the town of Honea Path, in Anderson County, be so amended as to confer upon the said corporation all the privileges, rights and immunities now enjoyed by the town of Anderson, in accordance with their amended charter.

SEC. 2. All Acts and parts of Acts inconsistent thereto be, and the same are hereby, repealed.

Approved January 31, 1872.

No. 13. AN ACT TO AMEND AN ACT (No. 382) ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," COMMENCING WITH SECTION NO. 36 OF SAID ACT, RELATING TO THE INCORPORATION OF THE TOWN OF WRIGHTSVILLE, PASSED AT THE REGULAR SESSION OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, 1870-'71.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the village of Wrightsville, shall be deemed, and are hereby declared to be, a body politic and corporate; and the said village shall be

Name and
limits of town

called and known by the name of Wrightsville; and its corporate limits shall include Edisto Island, together with Eddingsville. The metes and bounds of said town of Wrightsville will be bounded on the north by North Edisto Inlet or River, on the south by South Edisto River and St. Helena Sound, and on the east by Atlantic Ocean, and on the west by Johosse Island and Edisto River.

A. D. 1872.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the third Monday in May, 1872, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens—paupers and persons under disabilities for crime excepted.

Qualification
of Intendant
and Wardens.

Electors.

SEC. 3. The said election shall be held at some convenient public place in said village, from eight o'clock in the morning until four o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, The Commissioners of Election of Charleston County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make returns thereof to the Commissioners, the same as other elections held in this State; and the said Commissioners shall count the votes and declare the election, and notify the persons so elected Intendant and Wardens of the said village. The Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the village of Wrightsville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of the said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as

Election.

By whom
called.Oath of of-
fice.Penalty for
refusal
to
serve.

Proviso.

A. D. 1872.

Managers.

Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

Vacancies—
how filled.

SEC. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of them, ten days' public notice being previously given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Judicial
powers.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices, or Justices of the Peace, as the case may be, in this State, within the limits of the said village, except for the trial of small and mean causes; and the Intendant shall or may, as often as is necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Wrightsville; and they and their

Rights and
privileges.

successors in office, hereafter to be elected, may have a common seal, which shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded, in any Court of Justice in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals, or Constables, of said village, as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof; which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council;

Marshals—
their powers
and duties.Market and
guard house
may be estab-
lished.

and the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and until the said guard house be established, they shall be author-

ized to use a room in the common jail in the County of Charleston, for the confinement of all who may be subject to be committed for a violation of any ordinances, rules and regulations of said town; and the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable, specially appointed for that purpose, to arrest and commit to the said guard house, or jail of Charleston County, as the case may be, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent, or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal, or Constables, to arrest and commit all such offenders, when required so to do, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrest; and upon the failure of such officers to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may impose upon them; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violations of ordinances, rules and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she, or they may have committed. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, regulations, by-laws and ordinances respecting the streets, roads, and the business thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within said town. And the said Town Council may impose fines for offenses against their by-laws, rules and regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices, or Justices of the Peace, now have, or may hereafter have, to compel the attendance of witnesses, and requiring them to give evidence, upon the trial before them of any person or persons for a violation of any of their ordinances, by-laws, rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of justice in this State; and, also, that nothing herein contained shall authorize said Council to make any ordinance or by-law inconsistent with, or repugnant to, the laws of the State.

A. D. 1872.

Power to arrest and commit to jail.

Penalty for neglect of duty.

May make rules and regulations.

Fines.

A. D 1872.

Nuisances.

Roads, ways
and streets.May com-
pound with
persons liable
to street duty.

Sidewalks.

SEC. 6. That the said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets, in said town, open and in good repair; and, for that purpose, they are invested with all the powers of County Commissioners, or Commissioners of Roads, for and within the corporate limits of the said town; and they may lay out new streets, close up, widen, or otherwise alter those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads, in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations require—the moneys so received to be applied to the public uses of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars, for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine, in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town, as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

SEC. 7. The said Town Council shall have power and authority to require all persons owning a lot or lots, in said town, to close in, and to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalks shall be necessary—the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalk, and to close such lot or lots, the Town Council may cause the same to be made, or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same, by

action of debt, in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing is let to the lowest bidder. The said Town Council shall appoint three discreet persons, who shall form a Board of Supervisors of the Health, who shall have power over the ways and water courses, ditches and stagnant water ponds, and take such other sanitary measures as the public health require, giving twenty days' notice to the occupants of said premises, where the said nuisance lies, and in default of non-compliance with the order of said Board, the parties so offending shall be fined in a sum not less than twenty dollars, or thirty days in the County jail, for each and every offense, the said complaints to be brought before any Trial Justice, or Justice of the Peace, in and for the County of Charleston. The said Board shall have power over the cemeteries and public grave yards within the corporation.

A. D. 1872.

Board of
Health—their
powers and
duties.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse licenses to keep taverns or retail spirituous liquors within the corporate limits of the said town, upon such condition, and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, or to retail spirituous liquors, be less than the amount that is established by the State; and all moneys paid for licenses, and for fines and forfeitures, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens duly elected shall not have power to grant any license to keep taverns, or retail spirituous liquors, to extend beyond the term for which they have been elected. They shall have power to regulate sales at auction within the corporate limits of the town, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares, mules kept for hire or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions for gain or reward within the corporate limits of said town; they shall have power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town—the real and personal property of churches and schools and college associations excepted. That an ordinance declaring the rates of annual taxation upon property, and other subjects of annual taxation for the year, shall be published at least three weeks during the month of January, in each year: *Provided*, That the said Town Council shall have power to levy a tax for this year, under the same rule as is above stated, immediately after the passage of this Act, and that all persons liable to taxation under the

Licenses.

Sales at auc-
tion.

Shows, &c.

Rates of tax-
ation to be
published.

Assessment
and taxation
of property.

A. D. 1872.

Penalty for
failure to re-
turn prop-
erty.

Executions.

same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do, during the succeeding month after publication; and upon the failure to make such return and payment, as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County taxes, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of said town, except that in such cases that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other person appointed by the said Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property, upon which such tax shall be levied and assessed, is hereby declared and made liable for the payment thereof, in preference to all other debts, except debts due to the State, which shall be first paid; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be payable in advance by the parties liable for the same, and on failure of payment, their property shall be liable for the same, as in manner and form just before stated.

Shall pub-
lish acco't of
receipts and
expenditures.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office, a full account of their receipts and expenditures during their term, which account shall be published in one or more papers of the County; and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors, and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Ordinances
validated.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Wrightsville shall be binding upon the citizens of said town, the same as the laws of the State.

SEC. 11. That all Acts and parts of Acts inconsistent with, or supplied by, this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force until repealed.

Approved January 31, 1872.

AN ACT TO INCORPORATE THE WALBOO WHARF COMPANY.

A. D. 1872.

No. 14.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of the South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George Avinger, Samuel Brettas, Thomas Davis, Daniel Anderson, Jacob McDaniels, their associates and successors in office, be, and they are hereby, constituted a body politic, under the name and style of the "Walboo Wharf Company," with a capital stock not exceeding ten thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and to use a common seal, the same to alter at will and pleasure: *Provided*, That said corporation shall have all the privileges, and be subject to all the liabilities and restrictions applicable thereto, of the Act to regulate the formation of corporations.

Corporators.

Capital stock.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force for a term of fourteen years.

Approved January 31, 1872.

AN ACT TO EMPOWER THE JUDGES OF THE PROBATE COURT, IN THEIR RESPECTIVE COUNTIES, TO ISSUE EXECUTIONS.

No. 15.

Whereas doubts have arisen whether the Judges of the Probate Court in this State are authorized to issue executions to carry into effect any order, sentence or decree of such Court; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the Judges of the Probate Court, in the several Counties in this State, may, and they are hereby, fully authorized and empowered to issue executions, when that is the necessary and proper process, to carry into effect any order, sentence or decree of such Court.

Probate Judges may issue executions.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved January 31, 1872.

AN ACT TO INCORPORATE THE YOUNG MEN'S FREE ENTERPRISE COUNCIL, NO. 1, OF GEORGETOWN, SOUTH CAROLINA.

No. 16.

Whereas George H. Powley, Moses Smalls, T. G. Rutledge, An-

Corporators.

A. D. 1872.

thony Jonding and Julius C. Smalls have prayed that the Young Men's Free Enterprise Council, No. 1, of Georgetown, South Carolina, may be incorporated; therefore,

Corporate name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all those persons who are now, or who hereafter may become, members of the said Council, shall be, and are hereby, incorporated, and are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Young Men's Free Enterprise Council, No. 1, of Georgetown, South Carolina;" and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall deem expedient.

Rights, powers and privileges.

SEC. 2. That the said corporation shall be capable, in law, to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property, of what nature soever, not exceeding the sum of ten thousand dollars, or to sell, or to alien the same, as the said corporation shall think fit; and, by its name, to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, good government and management thereof, may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and continue in force for the term of fifteen years.

Approved January 31, 1872.

No. 17.

AN ACT TO CHARTER THE TOWN OF BELTON, IN THE COUNTY OF ANDERSON, AND STATE OF SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Belton, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Belton, and its

corporate limits shall extend one-half mile in each direction from the depot in said town.

A. D. 1872.
 }
 Corporate
 limits.
 Officers.
 Electors.

SEC. 2. That the said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in April, 1872, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants, of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Election.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place in said town, from 9 o'clock in the morning until 5 o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. At the first election for Intendant and Wardens, Messrs. G. W. McGee, B. D. Dean and Ira Williams are hereby appointed to act as Managers, with authority to supply, by appointment, vacancies that may occur from death, refusal to serve, or otherwise. The Intendant and Wardens so elected shall appoint three Managers to hold the ensuing and any subsequent election. The Managers in each case shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Belton, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January ensuing, and until their successors shall be elected and qualified.

Managers of
 Election.

Oath of of-
 fice.

SEC. 4. That in case a vacancy should occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held, by the appointment of the Intendant and Wardens, (or Warden, as the case may be,)

Vacancies —
 how filled.

A. D. 1872.

ten days' public notice thereof being previously given; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Powers and duties.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justices and Justices of the Peace, except the trial of civil cases, and except as it may otherwise be provided in this Act, within the limits of said town; and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business, and they shall be known by the name of the Town Council of Belton; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town, as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish, or to authorize the establishment of, the market house in said town. And the said Town Council shall have full power and authority,

Marshals — jurisdiction and duties.

By-laws and ordinances.

under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have power to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for violation of any of these by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in a Court of competent jurisdiction: *And provided, also,* That no fine shall exceed fifty dollars; and, also, that nothing herein contained shall authorize the said Council to make any by-law or ordinance inconsistent with, or repugnant to, the laws of this State; and all the by-laws, rules and ordinances the said Council may make,

Fines.

shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town, keep all roads, ways and streets within the corporate limits in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms, and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty, and the inhabitants of the said town are hereby exempt from road and police duty without the corporate limits of said town.

A. D. 1872.

Nuisances.

Persons liable to road and street duty.

Exemptions.

SEC. 7. That the power to grant or refuse license for billiard tables, to keep tavern, or retail spirituous liquors within the limits of the said corporation, be, and the same is hereby, vested in the Town Council of Belton; and they shall also have power to impose a tax on shows or exhibitions, for gain or reward, within the limits, and all moneys so received shall be appropriated to the public use of said corporation.

Licenses.

SEC. 8. That the said Town Council of Belton shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof; and it shall be the duty of the Marshal of the town to make such arrest, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars for each and every offense.

Arrests.

SEC. 9. That the said Town Council of Belton shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of ten cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of the said town. The said Town Council shall have power to enforce the payment of all taxes levied by the said Town Council to the same extent, and in the same manner, as is now, or hereafter shall be, provided by law for the collection of the general State taxes.

Taxes.

A. D. 1872
 Sales at auc-
 tion.

SEC. 10. That the said Town Council of Belton shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales by Sheriff, Clerk of the Court, Judge of Probate, Coroner, Executor, Administrator, Assignee in Bankruptcy, or by any other person out of the order, decree of any Court, Trial Justice or Justice of the Peace.

SEC. 11. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved January 31, 1872.

No. 18. AN ACT AUTHORIZING E. F. ENGLISH TO BUILD A DOCK, AND COLLECT WHARFAGE AT PORT ROYAL CITY.

E. F. English
 authorized to
 build a dock
 at Port Royal
 City.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. F. English be, and he is hereby, authorized to build a dock to deep waters of Beaufort River, at Port Royal City, to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing, or hereafter to be made, in relation to such property.

Approved January 31, 1872.

No. 19. AN ACT TO INCORPORATE THE SCOTT RIFLE GUARDS, OF SUMTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Parson, Joseph Sumter, Oscoe Roach, and their associates and successors, be, and they are hereby, incorporated and declared a body politic, under the name and style of the "Scott Rifle Guards," in deed and in law; and, as such body politic, shall have the power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land; and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of

Corporators.

Title.

Powers and Privileges.

law or equity in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

A. D. 1872.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the space of fourteen years from its passage.

Approved January 31, 1872.

AN ACT TO RENEW THE CHARTER OF THE PALMETTO FIRE ENGINE COMPANY, OF COLUMBIA. No. 20.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Palmetto Fire Engine Company, of Columbia, be, and the same is hereby, renewed and extended for a period of fifteen years; and the said company is hereby authorized to adopt the name and style of Palmetto Steam Fire Engine Company.

Charter re-
newed and
extended.

Approved January 31, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TRUSTEES OF THE WALTERBOROUGH MALE ACADEMY." No. 21.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Trustees of the Walterborough Male Academy," be so amended by striking out, in the first Section of the said Act, the names of the corporators, making null and void the powers of their successors, and vesting all the rights, privileges and immunities in the Trustees of the School District wherein the said Academy is located.

Names of
corporators
stricken out:
rights, &c.,
vested in Dis-
trict Trust-
tees.

Approved January 31, 1872.

STATUTES AT LARGE

AN ACT TO REGULATE THE GRANTING OF DIVORCES.

Validity of
a marriage—
how affirmed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, When the validity of a marriage shall be denied or doubted by either of the parties, the other may institute a suit for affirming the marriage; and, upon due proof of the validity thereof, it shall be decreed to be valid; and such decree shall be conclusive upon all persons concerned.

Causes for
divorce.

SEC. 2. That a divorce from the bond of matrimony may be decreed for the following causes:

Adultery.

1st. Adultery;

Desertion.

2d. When either party willfully abandons or deserts the other for the period of two years: *Provided*, That, when the suit is instituted by the party deserting, it appears that the desertion was caused by the extreme cruelty of the other party, or that the desertion by the wife was caused by the gross or wanton and cruel neglect of the husband to provide suitable maintenance for her, he being of sufficient ability so to do.

Jurisdiction
vested in Cir-
cuit Court.

SEC. 3. That the Circuit Courts of Common Pleas shall have original jurisdiction of suits for annulling or affirming marriages, or for divorces. No such suit shall be maintained, unless the parties, or one of them, is a citizen of this State, or shall have resided therein at least one whole year previous to instituting the same. The suit shall be brought in the County in which the parties last cohabited, or (at the option of the plaintiff) in the County in which the defendant resides, if a resident of this State; but if not, then in the County in which the plaintiff resides.

By whom
and where
the suit may
be brought.

Suits for di-
vorce — how
commenced.

SEC. 4. That suits for divorce shall be commenced by summons and complaint, in the same manner as other actions; and, whether the defendant answer or not, the cause shall be heard, independently of the admissions of either party in the pleading, or otherwise. Costs may be awarded to either party, as justice and equity may require.

Costs—how
awarded.

Court or
Judge may
compel the
man to sup-
port the wo-
man or minor
children, &c.

SEC. 5. That the Court, in term, or the Judge, in vacation, may, at any time pending the suit, make any order that may be proper to compel the man to pay any sums necessary for the maintenance of the woman, and to enable her to carry out the suit, or to prevent him from imposing any restraint on her personal liberty, or to provide for the custody and maintenance of the minor children of the parties during the pendency of the suit, or to preserve the estate of the minor, so that it be forthcoming to meet any decree which

may be made in the suit, or to compel him to give necessary security to abide such decree.

A. D. 1872.

SEC. 6. When the suit is for divorce for adultery, the divorce shall not be granted if it appears that the parties voluntarily cohabited after the knowledge of the fact of adultery, or that it occurred more than five years before the institution of the suit, or that it was committed by the procurement or connivance of the plaintiff.

Divorce —
when not to
be granted.

SEC. 7. Upon decreeing the dissolution of a marriage, and also upon decreeing a divorce, the Court may make such further decree as it shall deem expedient concerning the estates and maintenance of the parties, or either of them, and the care, custody and maintenance of the children, and make a new decree concerning the same, as the circumstances of the children may require.

Power of
Court to
make further
decree, &c.

SEC. 8. When a divorce is granted for the cause of adultery or willful desertion, committed by the husband, the wife shall be entitled to her dower in his lands, in the same manner as if he were dead; but she shall not be entitled to dower in any other case of divorce from the bond of matrimony.

Wife—when
entitled to
her dower.

SEC. 9. Upon the dissolution of a marriage by a decree of nullity or divorce, for any cause, except that of adultery committed by the wife, the wife shall be entitled to the immediate possession of her real estate, in like manner as if her husband were dead; and the Court may make a decree, restoring to the wife the whole, or any part, of the personal estate that may have come to the husband by reason of the marriage, or awarding to her the value thereof in money, to be paid by the husband.

When enti-
tled to her
real estate,
&c.

SEC. 10. When the Court deems it proper to award to the wife any personal estate, or money in lieu thereof, it may require the husband to disclose, on oath, what personal estate has come to him by reason of the marriage, and how it has been disposed of, and what portion thereof remains in his hands.

Husband to
state what es-
tate he re-
ceived by
marriage.

SEC. 11. When a divorce is decreed for any of the causes mentioned in Section 2 of this Act, the Court granting it may decree alimony to the wife, or any share of her estate, in the nature of alimony, to the husband.

Alimony.

SEC. 12. When alimony or other annual allowance is decreed for the wife or children, the Court may require sufficient security to be given for its payment, according to the terms of the decree.

Security for
payment of
alimony.

SEC. 13. Upon actions of divorce for the cause mentioned in Section 2 of this Act, in order to secure a suitable support and maintenance to the wife and such children as may be committed to her care and custody, an attachment of the husband's real and personal estate may be made by the officer serving the summons. The amount

Attachment.

A. D. 1872.

for which the attachment may be made shall be expressed in the warrant of attachment, which must be obtained from a Judge or a Clerk of the Court in which, or before whom, the action is brought.

Laws of attachment applicable under this Act.

SEC. 14. That all laws relating to attachment of real or personal estate shall apply to attachments herein provided for, so far as the same are not inconsistent with this Act.

Divorce — when of non effect.

SEC. 15. When an inhabitant of this State, whose marriage has been consummated therein, shall go into another State or country solely to obtain a divorce, for any cause occurring here, and whilst the parties resided here, or for any cause which would not authorize a divorce by the laws of this State, a divorce so obtained shall be of no force or effect in this State.

Approved January 31, 1872.

No. 22. AN ACT TO REVIVE AND EXTEND THE CHARTER OF THE RELIEF LOAN ASSOCIATION, OF CHARLESTON.

Charter — revived and extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Relief Loan Association, passed on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-six, be, and is hereby, revived and extended for the term of five years from the date of this Act.

Rights, powers and privileges.

SEC. 2. The said Association is hereby re-invested with all the rights of property, which it had at the expiration of its charter, or which its trustees may have acquired since; and shall have power to sue for and collect all amounts due to the said Association, or its trustees, and to sell and convey all the said estate, real or personal, for the closing up of the said Association.

Approved January 31, 1872.

No. 23. AN ACT TO ALTER AND AMEND AN ACT TO ORGANIZE AND GOVERN THE MILITIA OF THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 15 of an Act to organize and govern the militia of the State of

South Carolina, approved March 16, 1869, is hereby altered and amended so as to read: "The duties of Quartermaster General shall devolve upon the Adjutant General in times of peace."

A. D. 1872.

SEC. 2. That the office of Assistant Adjutant General be, and is hereby, abolished, and the duties of that office are hereby conferred upon the Adjutant General.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 2, 1872.

AN ACT TO REGULATE THE MANUFACTURE AND SALE OF COMMERCIAL FERTILIZERS IN THE STATE OF SOUTH CAROLINA.

No. 25.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, All commercial fertilizers manufactured, sold, or kept for sale, in the State of South Carolina, shall have affixed to every bag, barrel or parcel thereof a written or printed label, which shall specify the names of the manufacturer and seller, their respective places of business, and the constituent parts thereof.

All fertilizers to be labeled.

SEC. 2. Whoever manufactures, sells, or keeps for sale, any commercial fertilizer or fertilizers, not labeled in accordance with the provisions of the preceding Section, and whosoever shall affix to any bag, barrel or other parcel of any fertilizer any label not truly specifying the constituent parts thereof, and the names of the manufacturer and seller, shall be punished by a fine of twenty dollars for the first offense, and a fine of forty dollars for the second and every subsequent offense, one-half of which shall, in every case, be for the use of the prosecutor.

Penalty for false labeling and failure to label.

SEC. 3. This Act shall be deemed a public Act, and be in force after its ratification.

Approved February 2, 1872.

A. D. 1872.
 No. 26.

AN ACT TO INCORPORATE THE ENTERPRISE ASSOCIATION, OF
 CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Mills, T. A. Davis, N. Spencer, Samuel Marion, Aaron Wrighten, Abraham Williams, Joseph Parker, S. B. Middleton, Richard White, George Martin, Jacob Royal, John A. Adams, R. N. Gregorie, Isaac Weston, Edward Weston, their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Enterprise Association, of Charleston, South Carolina."

Powers and
 privileges.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land, and shall have succession of officers and members, according to their election; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given, or bequeathed to, or purchased by, it, and to sell, convey or mortgage the same, or any part thereof, at will.

May assign
 and dispose of
 property.

SEC. 3. That said corporation may, from time to time, invest moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property, held and owned by said corporation, shall not exceed fifty thousand (50,000) dollars.

SEC. 4. This Act shall continue in force during twenty years, and may be given and taken in evidence without being especially pleaded.

Approved February 2, 1872.

No. 27.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH A BUREAU OF AGRICULTURAL STATISTICS FOR THE ENCOURAGEMENT OF INDUSTRIAL ENTERPRISES, AND TO INVITE CAPITAL TO SOUTH CAROLINA FOR THE DEVELOPMENT OF THE RESOURCES OF THE STATE."

SECTION 1. *Be it enacted* by the Senate and House of Repre-

representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State," passed the 26th day of September, A. D. 1868, be, and the same is hereby, repealed, and the duties heretofore performed by the Commissioner of Agriculture shall be, and the same are hereby, conferred upon the Secretary of State.

A. D. 1872.

Act establishing
Bureau
of Agricultural
Statistics
repealed.

Duties con-
ferred on Se-
cretary of
State.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved February 2, 1872.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE PER DIEM OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS, AND OTHER EXPENSES INCIDENTAL THERETO.

No. 28.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the payment of the per diem of the members of the General Assembly, and the salaries of the subordinate officers, and other expenses incidental thereto, the sum of one hundred and fifty thousand dollars, if so much be necessary, be, and the same is hereby, appropriated out of any funds in the Treasury not otherwise appropriated.

\$150,000 ap-
propriated.

SEC. 2. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish to each member of their respective bodies a pay certificate for the amount of his per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct.

Certificates—
by whom fur-
nished.

SEC. 3. That such certificates shall conform to the provisions of Section 23, Article 2, of the Constitution of the State, and shall be certified by the President of the Senate and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives and by the Clerk of the same, for all members of that body.

By whom
certified and
attested.

SEC. 4. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with certificates of pay in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That the pay certificates, for services

Pay of sub-
ordinates—by
whom fixed.

A. D. 1872.

rendered common to the two Houses, shall be signed by the President of the Senate and countersigned by the Speaker of the House of Representatives.

Treasurer
to pay at his
counter.

SEC. 5. That the Treasurer of the State is hereby authorized and directed to pay the said certificates, at his counter, out of any funds in the Treasury not otherwise disposed of, and to hold the certificates as his vouchers therefor, and he is authorized and required to retain in the Treasury office all moneys from incoming taxes.

Approved February 5, 1872.

No. 29.

AN ACT TO INCORPORATE THE TOWN OF CHESTERFIELD.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons residing within the area of one-half mile in the direction of north and south from the Court House, in the County of Chesterfield, and one-half of a mile in the direction of east and west from said Court House, are hereby created a body corporate, under the name of the town of Chesterfield, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act approved the 9th day of March, A. D. 1871.

Powers and
privileges.

SEC. 2. That this Act shall be taken and deemed a public Act, and shall continue in force until amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 5, 1872.

No. 30.

AN ACT TO REPEAL A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION AUTHORIZING THE GOVERNOR TO PURCHASE TWO THOUSAND STANDS OF ARMS, OF THE MOST IMPROVED PATTERN, WITH USUAL COMPLEMENT OF AMMUNITION," APPROVED MARCH 16, 1869.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution,

entitled "Joint Resolution authorizing the Governor to purchase two thousand stands of arms, of the most improved pattern, with usual complement of ammunition," approved March 16, 1869, be, and the same is hereby, repealed.

A. D. 1872.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 5, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,

Secretary of State.

AN ACT TO APPROVE, ADOPT AND MAKE OF FORCE THE
GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA, PRE-
PARED UNDER THE DIRECTION, AND BY THE AUTHORITY, OF
THE GENERAL ASSEMBLY.

No. 31.

6

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the General Statutes of the State of South Carolina, prepared, under its authority, by W. J. Whipper, C. W. Montgomery and D. T. Corbin, Esquires, and reported to the General Assembly, be, and the same are hereby, adopted as the Statutes of the State of South Carolina, and the Acts, Ordinances and Resolves, recommended by their titles to be repealed by said Commissioners, be, and the same are hereby, repealed.

General Sta-
tutes adopted

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 10, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated

A. D. 1872.

within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

No. 32. AN ACT TO ESTABLISH A PUBLIC ROAD IN BARNWELL AND ORANGE-
BURG COUNTIES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. D. Cleckly, F. E. Salinas, Isaac S. Bamberg and Daniel Quattlebaum, be, and they are hereby, authorized and empowered, immediately after the passage of this Act, to lay out, construct and open a public road, leading (by the best and most direct way) from Bamberg, in Barnwell County, to Fogle's Mill, on the Orangeburg Road, in Orangeburg County.

Road from
Bamberg to
Fogle's Mill.

Commission-
ers to erect
bridges.

Cost of same
limited.

•

SEC. 2. That, in the construction of said road, the Commissioners aforesaid shall cause to be constructed and erected such bridges as they may deem necessary: *Provided, however,* The cost of erecting such bridges shall not exceed the sum of four hundred dollars, to be paid, equally, by the said Counties of Barnwell and Orangeburg.

May order
out persons
liable to road
duty.

SEC. 3. That said Commissioners be further authorized and required to order out all persons, liable to road duty, residing within five miles of the line of said road, as located, (excepting those living in incorporated towns,) to perform three days' work, in each month, on said road, until its completion.

Approved February 15, 1872.

No. 33. AN ACT TO REGULATE THE LABOR OF PERSONS CONFINED IN
THE PENITENTIARY OF THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all labor, of whatever character, which is now being, or may hereafter be, discharged by any person or persons who are now, or may hereafter

Proceeds of
convict labor
for exclusive
benefit of this
State.

be, confined in the Penitentiary of this State, shall be for the exclusive benefit of the State; and the labor of the convicts in the Penitentiary shall not be hired to any person or persons for a price less than is paid to any other class of laborers for the same kind of labor; and the Superintendent of said institution shall keep a correct record, stating the kind of labor, and the amount realized therefor, and the whole of which amount shall be turned over to the State Treasurer monthly, to be retained by him, subject to the draft of the said Superintendent, for the benefit of said institution, which draft shall be accompanied by a written statement of the items for which each amount is required.

SEC. 2. Any violation of this Act, on the part of the Superintendent, shall be an official misconduct, and, on information of any person to the Attorney General, he shall immediately commence legal proceedings against him therefor.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved February 15, 1872.

A. D. 1872.

Convict labor not to be hired for a less price than is paid to other laborers for similar labor.

Superintendent to keep record of labor and amount realized therefor.

Violation of this Act official misconduct.

AN ACT TO INCORPORATE THE MECHANICS' AND FARMERS' BUILDING AND LOAN ASSOCIATION, OF RICHLAND COUNTY, SOUTH CAROLINA.

No. 34.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. H. Heinitsh, A. G. Brenizer, John Agnew, M. J. Calnan, W. B. Nash, Wm. Simons, S. B. Thompson, James Davis, AEsop Goodson, J. H. Bryant, William Taylor, together with such other persons who are now, or may be hereafter, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, or other persons, by the name and style of the Mechanics' and Farmers' Building and Loan Association, of Richland County, South Carolina, the capital stock of which shall consist of two thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue. The said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject

Corporators.

Purpose of corporation.

Capital stock.

A. D. 1872.

to such fines and forfeitures, for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Powers and
privileges.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land ; shall have such number and succession of members and officers as shall be ordained and chosen, according to the said rules and by-laws, made, or to be made, by them ; shall have and keep a common seal, and may alter the same at will ; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State ; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

May hold and
dispose of
property.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, to its members and others, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation : *Provided*, That the real estate held by said corporation shall not, at any time, exceed the value of two hundred thousand dollars.

Funds may
be loaned and
advanced.

SEC. 4. That the funds of said corporation shall be loaned and advanced to its members and stockholders, or others, upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation ; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security, upon its loans and advances ; and may sell, alien or otherwise dispose of the same to its members, stockholders or others, as they, from time to time, may deem expedient.

Division of
funds — when
to be made.

SEC. 5. That, whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

SEC. 6. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same.

Approved February 15, 1872.

AN ACT TO AUTHORIZE CLERKS OF THE COURTS OF COMMON PLEAS TO TAKE TESTIMONY IN CERTAIN CASES.

A. D. 1872.

No. 35.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerks of the Courts of Common Pleas in this State, in all civil causes or proceedings hereafter to be instituted, or now pending, or at issue, in the Courts of Common Pleas, for their respective Counties, shall, upon the application of either party to such cause or proceeding, after ten days' notice to the adverse party, take, in writing, the depositions of said party, or of any witness or witnesses in said cause or proceeding, whose examination shall be required by the party making such application; upon taking which depositions, the several parties shall be entitled to the same rights of examination, cross-examination, and examination in reply, and the same exceptions to the admissibility of evidence, as are allowed by law upon examination before the Court. And the depositions so taken shall be certified by the Clerk before whom such examination was had, and shall be read in evidence at the trial of the said cause or proceeding; subject, nevertheless, to the right of either party to require the personal attendance and *viva voce* examination of the witness or witnesses at the trial of said cause or proceeding; the exercise of which right, however, not to cause a continuance or delay in the trial of the said cause or proceeding.

Clerks of Court may take depositions.

Rights of examination.

Depositions to be certified

Personal attendance.

SEC. 2. That every Clerk of the Court of Common Pleas shall have power to compel the attendance before him of the witness or witnesses to be examined, as aforesaid, upon the application of a party to any civil cause or proceeding hereafter to be instituted, pending or at issue in the said Court; for which purpose, he may issue a subpoena to any such witness, which shall be served personally; and if any witness, upon whom such subpoena has been duly served, shall fail to attend conformably thereto, the Clerk by whom the same was issued shall have power to issue a rule, requiring such witness to show cause why he should not be attached for contempt; and, upon the failure or neglect of such witness to show cause, the said Clerk shall have power to issue an attachment against such witness for contempt, which attachment shall not be dissolved, except by the order of a Judge, or of the said Clerk.

Power to compel attendance of witnesses.

May issue subpoena.

Failure to attend — penalty for.

Attachment for contempt.

SEC. 3. That every Clerk of the Court of Common Pleas, for taking the depositions hereinbefore mentioned, shall be entitled to demand and receive the sum of one dollar for each witness examined, to be paid by the party against whom judgment shall be rendered in said cause or proceeding.

Fee of Clerk of Court for examination of witnesses.

Approved February 15, 1872.

A. D. 1872.

No. 36.

AN ACT TO PROVIDE THE MANNER FOR OBTAINING THE RIGHT OF WAY, WHERE LANDS ARE SURROUNDED BY OTHER LANDS.

Construction of highways through lands surrounded by other lands.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That where any person or persons owning lands, surrounded by lands of other person or persons, through which there is no right of way, or highway, are authorized, as hereinafter provided, to construct a highway or road through such lands to the nearest highway then existing.

In case of refusal, notice to be given.

SEC. 2. If the owner or owners of such surrounding lands shall signify his or their refusal to the opening of a highway through such lands, without previous compensation, the person or persons requiring such right of way shall give ten days' notice, in writing, to the person or persons, through whose lands such right of way is required, of his intention to establish such right of way, naming in such notice a person who will act as referee for him in the location thereof, and such owner or owners shall, within ten days thereafter, appoint a referee for the same purpose.

Appointment of referees.

Board of Referees — their powers and duties.

No appeal from their decision.

SEC. 3. That the referee so appointed shall, within ten days thereafter, meet at some convenient place and appoint a third referee, and the three referees so appointed shall constitute a board of referees for the location of such highway, and to determine the compensation and damages for the same, from whose decision, in no case, shall there be an appeal.

Said Board to meet, inspect premises, and to determine the value and quantity of land required.

SEC. 4. That within ten days after the appointment of a third referee, in compliance with the third Section of this Act, the said referees shall meet and proceed, faithfully and impartially, to determine the question of location, compensation and damages, submitted to them, for which purpose they shall inspect the premises in reference to the construction of the proposed highway, and the quantity of land which shall be required therefor, with respect alone to the quantity, and value, and location of the land which may be required, and to the special damage the owner may sustain by reason of the construction of the highway through his land, and the amount of compensation which shall be made to the owner thereof, and shall render their verdict, in writing, for the same.

Verdict of damage and compensation

Upon payment of compensation, right of way established.

SEC. 5. That, upon the payment of the compensation thus ascertained, the right of way over said lands shall be established, and shall be opened as, and forever remain, a public highway.

Referee of person requiring right of way to have the same powers as conferred upon the Board.

SEC. 6. That if the owner or owners of such lands, over which such right of way is required, shall not, in compliance with the second Section of this Act, appoint a referee within the time required, the referee appointed by the person requiring such right of way

shall proceed the same as if all three referees had been appointed, and his action therein, in compliance with Section 4 of this Act, shall have the same force and effect as if the full board of referees had acted.

A. D. 1872.
 Action of
 such referee
 valid.

SEC. 7. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved February 15, 1872.

AN ACT TO AUTHORIZE THE ERECTION OF A CERTAIN BRIDGE OVER WATeree RIVER. No. 37.

Whereas a majority of the people of Kershaw County have voted in favor of the erection of a free bridge over Wateree River, on the Columbia Road, near Camden, to be built and kept up at the expense of said County :

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County of Kershaw be, and is hereby, authorized to build a bridge over Wateree River, on the Columbia Road, at the Camden Ferry, to be kept up and maintained at the expense of said County, for the public use, free of toll.

Bridge over
 the Wateree
 River.

SEC. 2. That the County Commissioners of said County, and Mannes Baum, T. H. Clarke and W. M. Shannon, be, and are hereby, constituted a Special Commission to contract for and superintend the construction of said bridge, and to raise and disburse the funds required for the same.

Special Com-
 mission to su-
 perintend
 construction,
 &c.

SEC. 3. That, whenever deemed necessary, a majority of said Special Commission shall issue the bonds of said County, to an amount not exceeding twenty thousand dollars, payable ten years after date, and bearing interest at the rate of eight per cent. per annum, payable annually, on the first day of July in each and every year; and shall dispose of said bonds, at such times and places, and in such manner, as a majority of said Special Commission may direct, to raise funds for the construction of said bridge.

Issue of
 bonds author-
 ized.

SEC. 4. That the said County Commissioners be, and are hereby, authorized to levy an annual tax on the assessed value of the taxable property held and owned in said County, not exceeding two mills upon every dollar of the value of such property within the townships of Wateree and DeKalb, of said County, and not exceeding one mill upon every dollar of the value of such property

Tax of two
 mills in Wa-
 teree and De-
 Kalb Town-
 ships; other
 Townships
 one mill.

A. D. 1872.

within the other townships of said County, which tax shall be collected as provided by law for the collection of other County taxes, and be paid out by the County Treasurer, upon the order of the majority of such Special Commission.

Proceeds of
said tax—how
to be disposed
of.

SEC. 5. That the proceeds of said tax shall be applied, first, to the payment of the interest on said bonds, and the surplus, if any, shall be securely invested, under the direction of said Special Commission, and create a sinking fund, to be applied to the payment and extinguishment of said bonds at their maturity, or to pay up and cancel the same before maturity, as said Commission may deem expedient; and, when the same are fully paid and extinguished, the said tax shall cease to be levied, and the said Special Commission shall cease to exist.

Special Com-
mission to ap-
point a Treas-
urer.

SEC. 6. That the said Special Commission shall appoint a Treasurer, who shall give bond, before entering upon the discharge of the duties of his office, in such amount as may be deemed sufficient for the purpose, conditioned for the faithful discharge of his duties, who shall receive and disburse the proceeds of the bonds hereinbefore authorized to be issued, and all other moneys coming to his hands by the direction of said Special Commission, and be subject to such rules and regulations as the said Special Commission may prescribe.

To file an
account with
Clerk of Court

SEC. 7. That the said Special Commission shall, annually, file a correct account of their receipts and disbursements, and a report of their proceedings, in the office of the Clerk of the Circuit Court, on or before the first day of the January Term of said Court, to be open for the inspection of the citizens of said County, and to be laid before the Grand Jury, at said Term, for their examination; and, failing to do so, the members of said Commission shall be liable to indictment as for a misdemeanor; and, upon conviction, shall each be punished, by fine or imprisonment, at the discretion of the Court, not exceeding one hundred dollars' fine or six months' imprisonment.

Penalty for
failure.

Vacancies—
how filled.

SEC. 8. That, in case of a vacancy at any time in said Special Commission, occasioned by the death, resignation, removal, or refusal to serve, of the said Mannes Baum, T. H. Clarke and W. M. Shannon, or their successors, or any one or more of them, such vacancy shall be supplied by the remaining members of such Special Commission, by appointment from among the twenty persons in said County who shall have paid, in his own right, the highest tax to the State for the year next preceding such appointment.

County of
Ker-haw in-
vested with
rights of State

SEC. 9. That, for the purpose of enabling the said Special Commission to carry into effect the provisions of this Act, the said County of Kershaw is invested with all the rights of the State in the piers

of the bridge of the Camden Bridge Company, and the landings and road-bed which formerly led to and from the same; and the said Special Commission may make such compensation to the stockholders of the said company as may be deemed equitable and just by the said Special Commission, under the circumstances of the case: *Provided*, That the entire cost of said bridge and its appurtenances shall not, together with the compensation to the Camden Bridge Company, exceed the sum of twenty thousand dollars.

SEC. 10. That the Camden Bridge Company be, and they are hereby, authorized to keep up the Camden Ferry up to and until the opening of the bridge hereinbefore provided for, at the same rates of toll as were charged on the first day of December last, and the said company shall then cease to be a body politic and corporate; but the stockholders thereof shall then be at liberty to sell their property and assets, and divide the proceeds of the same among them rateably, according to the number of the shares of said stock held by them, respectively, having first paid the debts of the said corporation: *Provided*, That nothing contained in this Section shall conflict with or abridge any of the powers, rights and privileges hereinbefore conferred upon the said County of Kershaw, or the said Special Commission.

SEC. 11. That this Act shall be a public Act, and be so taken and deemed in all the Courts of this State.

Approved February 15, 1872.

A. D. 1872.

Stockholders
Camden
Bridge Company—com-
pensation of.

Camden
Bridge Company to keep
up Camden
Ferry until
opening of
said bridge.

AN ACT TO PROVIDE FOR THE REDEMPTION OF CERTAIN LANDS,
SOLD UNDER ORDER OF GENERAL ED. R. S. CANBY FOR
TAXES.

No. 38.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the former owners of all lands sold for taxes, and bought in for the State by the Sheriffs of the several Counties, under the provisions of an order of General Ed. R. S. Canby, dated Charleston, S. C., December 3, 1867, to provide for the support of the Provisional Government of South Carolina, for the year commencing the 1st day of October, 1867, be, and they are hereby, allowed the privilege of redeeming said lands, at any time within twelve months after the passage of this Act.

Former owners
allowed to
redeem their
lands sold for
taxes.

A. D. 1872.

Terms upon
which said
lands may be
redeemed.

SEC. 2. That the person or persons desiring to redeem land, sold under said order, shall apply to the Sheriff for a certificate, under his hand and seal, stating the amount of tax, costs and penalties, for which the land was sold. That then the said person shall present the same to the County Treasurer, and pay to said Treasurer the amount of the tax, with interest thereon, at the rate of seven per cent. per annum on all costs and penalties; whereupon the Treasurer shall make and deliver to such person or persons a deed of conveyance for said land, removing all the titles therein.

County Trea-
surer shall
account for
taxes, penal-
ty, &c.

SEC. 3. That the County Treasurer shall account for the taxes, penalty and interest paid in, under this Act, in the same manner as he does for other taxes, and shall distribute the costs to the officer to whom the same shall belong.

Cost of deed
of conveyance
and certifi-
cate.

SEC. 4. That the person or persons redeeming the land shall pay to the County Treasurer the sum of three dollars for the deed of conveyance, and to the Sheriff fifty (50) cents for the certificate.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Conveyances
heretofore
executed, rati-
fied and con-
firmed.

SEC. 6. That all deeds of conveyance heretofore executed and delivered by the Sheriffs of the different Counties, or any of them, under the Act providing for the redemption of lands, sold under the orders of General Canby, approved the 9th day of March, A. D. 1871, in which the application was made therefor, within the time limited by that Act, be, and the same are hereby, ratified and confirmed.

Sheriffs to
turn over
taxes, &c., to
County Trea-
surers.

SEC. 7. That the Sheriffs who may have received taxes, interests and penalties in the redemption of lands, as in that Act provided, are hereby required to turn the same over to their respective County Treasurers, to be disposed of by them as other taxes, and to parcel out the costs received by them to the officers to whom they severally belong.

Approved February 15, 1872.

No. 39.

AN ACT TO RENEW THE CHARTER OF THE PENDLETON MALE ACADEMY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Pendle-

ton Male Academy be, and the same is hereby, extended, and shall continue in force until repealed.

A. D. 1872.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE SAXTON RIFLEMEN, OF CHARLESTON, SOUTH CAROLINA.

No. 40.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. D. Mitchell, J. W. Green, M. Smith, D. Smith, G. Alston, A. P. Johnson, Henry Fraser, J. R. Carter, — Ferguson, M. C. Brown, A. Williams, Adam Singleton, J. W. Jenkins, John Smalls and Charles B. Brown, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Saxton Riflemen, of Charleston, South Carolina."

Corporators.

Corporate name.

SEC. 2. And the said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued, in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Rights, powers and privileges.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

May acquire and dispose of property.

SEC. 4. This Act to continue in force during fifteen (15) years, and may be given in evidence without being especially pleaded.

Approved February 15, 1872.

A. D. 1872.
 No. 41.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO
 CHARTER THE TOWN OF HAMBURG," APPROVED FEBRUARY 28,
 1871.

Corporate
 limits altered
 and extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act to which this is amendatory be altered and amended by striking out, from Section first, all after the word "Georgia," in the eighth line of said Section, and inserting in the place thereof the words "one mile, in a westerly direction, up and along the Savannah River; thence one mile and a half in a northerly direction, upon a line at right angles with the line of the Savannah River; thence one mile and one-half of a mile in an easterly direction, upon a line parallel with the line of the Savannah River; thence one mile and a half in a southerly direction to the Savannah River, and upon a line at right angles with the line of the Savannah River; thence one-half a mile in a westerly direction, up the Savannah River, to the said Savannah Bridge; said town to be in the form of a square."

SEC. 2. That said Act be further amended by striking out, from the seventh line of Section 10 of said Act, the word "fifteen," and inserting in place thereof the words "thirty-five."

Approved February 15, 1872.

No. 42. AN ACT TO INCORPORATE THE WALLINGFORD CHURCH AND
 ACADEMY, OF CHARLESTON.

Whereas A. C. McClelland, Joshua D. Geddings, Nathan Ritter,
 Corporators. J. J. Knox, Lawrence S. Mills, William Miles, Samuel Marion and
 William Williamson, Trustees of the Church formerly known as
 "Siloam," now as Wallingford Presbyterian Church and Academy,
 by petition therefrom, have prayed to be incorporated :

Corporate
 name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passing of this Act, all those persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of the Wallingford Presbyterian Church and Academy, of Charleston, South Carolina, for the advancement of Christianity :

and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

A. D. 1872

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements, or hereditaments, or other property of what nature soever, not exceeding the sum of two hundred thousand dollars, or to sell or alien the same, as the said corporation shall think fit, and by its said name to sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, rule, good government and management thereof, may be thought necessary and expedient: *Provided*, That nothing contained herein shall be construed to interfere with the prerogatives, control and direction of the General Assembly of the Presbyterian Church, in the United States of America, over the institution aforesaid.

Powers and Privileges.

Proviso.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed, and, as such, shall be judicially noticed in all the Courts of this State.

Approved February 15, 1872.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE APPOINTMENT OF A LAND COMMISSIONER, AND TO DEFINE HIS POWERS AND DUTIES."

No. 43.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the appointment of a Land Commissioner," approved March twenty-seventh, 1869, be, and the same is hereby, repealed.

Office of Land Commissioner abolished.

SEC. 2. That all books and papers pertaining to the office of the Land Commissioner be turned over to the Secretary of State on and after the passage of this Act. And the Secretary of State shall execute the duties heretofore devolving upon the Land Commissioner.

Books, &c., of his office to be turned over to Secretary of State.

Approved February 15, 1872.

A. D. 1872.

No. 44.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF BARNWELL COUNTY TO CONSTRUCT A JAIL AT BLACKVILLE, THE COUNTY SEAT.

Construction
of a Jail at
Blackville.

Cost limited.

Commission-
ers to adver-
tise for propo-
sals.

On comple-
tion of jail,
County Treas-
urer to pay
draft.

Estimates to
be furnished.

Twenty cents
per centum to
be reserved
until comple-
tion of jail.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Barnwell County be, and they are hereby, required and directed, immediately after the passage of this Act, to cause to be constructed a jail for the use of said County, at the town of Blackville, the County seat; the said jail, when completed, with the highest practicable security for the custody of prisoners, not to exceed in cost the sum of eight thousand dollars.

SEC. 2. The said Commissioners are authorized to advertise for plans and specifications and proposals to build said jail, in the newspapers published in Barnwell, and in one daily newspaper published in Charleston and Columbia, for the space of three weeks, and, from the plans, specifications and proposals submitted, to select such one as they may think best adapted to the necessities of a jail; and they are further authorized to contract with the party submitting the plans, specifications and proposals accepted by them, for the construction of the same.

SEC. 3. On the completion of said jail, according to contract, and after it shall have been approved and received by the said Commissioners, they shall be authorized to draw upon the County Treasurer of Barnwell, in favor of the contractor, for the amount agreed to be paid therefor, which draft shall be paid by the Treasurer on presentation; but the said Commissioners are authorized, in their discretion, to stipulate for the payment to the contractor, in installments, as the work progresses: *Provided*, That no such payment shall be made, except upon an estimate, furnished in writing, by the contractor, and carefully examined by the Commissioners, showing the amount of work actually done, and of material actually furnished at the date when payment is asked: *And provided, further*, That there shall be reserved of such estimates twenty cents per centum, which shall not be paid to the contractor until the jail shall be completed according to contract, approved and received by the Commissioners. And the said Commissioners are authorized to draw upon the County Treasurer for all amounts thus agreed to be paid, which draft the Treasurer shall pay, upon the filing with him the estimates upon which such drafts are drawn, endorsed with a certificate of approval, signed by the said Commissioners, or by a majority of them.

SEC. 4. The County Treasurer shall set apart the sum of eight

thousand dollars from the County funds, and hold such sum subject to the drafts of the County Commissioners, for payment of materials and construction of said jail: *And provided, further,* That that part of the County of Barnwell which, with portions of the Counties of Edgefield, Lexington and Orangeburg, now forming the County of Aiken, shall not be liable, in any way, for any debts contracted in building a jail at Blackville, in accordance with the provisions of this Act.

Approved February 15, 1872.

A. D. 1872.

County Treasurer to set apart \$8,000, subject to the draft of County Commissioners.

AN ACT TO INCORPORATE THE CHERAW FIRE ENGINE COMPANY
AS A PART OF THE FIRE DEPARTMENT OF THE TOWN OF
CHERAW.

No. 45.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Theodore F. Malloy, Thos. W. Bouchier, James A. McCreight and W. L. Reid, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Cheraw Fire Engine Company," with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and to use a common seal, and the same to alter at will and pleasure; and with all other rights, privileges and immunities, that are now secured by law to like incorporate bodies.

Corporators.

Corporate privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force for the term of fourteen years.

Approved February 15, 1872.

AN ACT TO INCORPORATE THE CAROLINA OIL COMPANY.

No. 46.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. McGuinnis, Edward Hope, Robert C. Shiver, S. L. Leapheart, John Agnew, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the Carolina Oil Company, for the purpose of extracting and manufacturing

Corporators.

A. D. 1872.
Objects of oil from cotton seed or other seeds, or grain, and for the purpose of
corporation. carrying on such other business as may be connected therewith, with
Capital. such capital as may be subscribed, not exceeding fifty thousand dollars, said capital to be divided into shares of one hundred dollars each.

May increase its capital. SEC. 2. The said company shall have power, from time to time, by a stock vote of not less than two-thirds of the amount of capital paid in, to increase their capital stock to any amount not exceeding one hundred thousand dollars, including their present capital stock.
May open books. Books may be re-opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient; and whenever any increase of capital shall be made beyond fifty thousand dollars, as aforesaid, the President of the company shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make public notice thereof once a week for three weeks consecutively in a newspaper in the city of Columbia, which shall be legal notice to all persons dealing with said corporation.
Affidavit of increase to be filed in Secretary of State's Office and published in newspapers.

Powers and privileges. SEC. 3. That if any certificate or public notice given by the officers of said company, in pursuance of the provisions of this Act, is false in any material representation, all the officers who signed the same, knowing it to be false, shall be jointly and severally liable for all debts of the company contracted while they were stockholders or officers thereof.

Penalty for making false certificate. SEC. 4. The said company shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for their government and direction, and shall have power and authority to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court of this State; to purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said company is established, and to sell or mortgage the same.

When corporation may commence operations. SEC. 5. The said corporation shall not go into operation until twenty thousand dollars of the capital stock shall be paid in gold or silver, or United States Treasury notes, or notes of National Banks. The personal liability of the stockholders for the debts or liabilities of said corporation shall be limited to the amount of stock subscribed by them.
Liabilities of stockholders.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years.

Approved February 15, 1872.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF
CHARLESTON COUNTY TO PLACE A FLAT AT BONNEAU
FERRY.

A. D. 1872.

No. 47.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized to place a flat at Bonneau Ferry, on the eastern branch of Cooper River, to employ and pay a ferryman, and to charge the regular rates of ferriage, out of which the wages of the ferryman are to be paid, and the balance to be turned over to the County Treasurer, for the use of the County.

Flat to be
placed at Bon-
neau's ferry.

Pay of Fer-
ryman.

OFFICE SECRETARY OF STATE,
COLUMBIA, February 20, 1872.

This Act, having been presented to the Governor for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,

Secretary of State.

AN ACT TO REGULATE PILOTAGE AT THE PORTS OF CHARLESTON,
BEAUFORT AND GEORGETOWN.

No. 48.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor is hereby authorized to appoint separate and distinct Boards of Pilot Commissioners for the ports of Charleston, Beaufort and Georgetown, each Board to consist of three persons, of whom two shall be, or shall have been, sea-faring men, and the third a full branch pilot. The Commissioners of Pilotage for the port of Beaufort shall have jurisdiction over St. Helena, Port Royal, and all entrances southward.

Appoint-
ment of Pilot
Commission-
ers.

SEC. 2. The said Commissioners shall have power to organize, from time to time, a Board of Examination, by adding to their number two nautical men, if deemed necessary by them, to be chosen by themselves; and it shall be the duty of the said respec-

Board of Ex-
amination—
their powers
and duties.

A. D. 1872.

tive Examining Boards to examine each and all applicants as to his or their competency to work or manage vessels, and, generally, to discharge the duties of a pilot or pilots; and no license or branch shall be granted to any person, unless he receive the certificate of competency, signed by a majority of such Examining Board.

Examination
fee.

SEC. 3. That each and every applicant for a branch, or license, before he shall receive a certificate from a majority of the Examining Board, shall pay to said Board the sum of five dollars, to defray the expenses of such examination, and of issuing said certificate.

Apprentices'
term of ser-
vice.

Masters to
take appren-
tices aboard
vessels.

When they
may receive a
full branch li-
cense.

Applicants
to be eighteen
years of age.

Traders be-
tween either
ports for five
years entitled
to full branch.

SEC. 4. Apprentices shall be taken by full branch pilots only, with the approval of the respective Boards of Commissioners of Pilotage, and shall serve two years before receiving a nine-foot branch or license; the last year of service, it shall be the duty of their masters to take the said apprentices on board of all vessels, so that they may become completely competent to discharge their duties. After holding their branches, or licenses of nine feet, for one year, if competent, to the satisfaction of their masters, they shall receive a twelve-foot branch, or license, which they must hold in service for two years, at the end of which time they may receive a full branch, or license. In all cases, however, the applicant for apprenticeship shall be eighteen years of age previous to receiving his nine-foot branch, or license: *Provided*, That any person or persons who have been trading between either of the ports above mentioned and other ports, for a period of five years, shall, upon a satisfactory examination before either of the respective Boards of Commissioners, be entitled to receive from said Board a full branch or license.

License to
be given by
Pilot Com-
missioners.

Oath requir-
ed of each ap-
plicant before
delivery of
license.

SEC. 5. The said respective Boards of Pilot Commissioners shall give to the applicants approved by them either a limited license or branch, or a full license or branch, according as the application and discovered fitness of the applicant shall be, signed by a majority of the Examining Board, or by their Chairman, as the majority of said Board may direct, requiring of each applicant, before the delivery to him of such license or branch, to swear and subscribe to the following oath, to be administered by the President of the Board, to wit: "I, A B, do solemnly swear (or affirm) that I will well and faithfully, and according to the best of my skill and knowledge, execute and discharge the business and duty of a licensed pilot, (or apprentice, as the case may be,) for the bar and harbor of Charleston, (Beaufort or Georgetown, as the case may be;) and that I will, at all times, wind, weather and health permitting, use my best endeavors to repair on board of all ships and vessels that I shall see, and conceive to be bound for, or coming into, or going out of, the port or harbor of Charleston, (Beaufort or Georgetown, as the case may be,)

unless that I am well assured that some other licensed pilot is there on board the same; and I do further swear (or affirm) that I will, from time to time, and at all times, make the best dispatch in my power to convey safely over the bar of Charleston, (Beaufort or Georgetown, as the case may be,) every vessel committed to my care, in coming in or going out of the same; and that I will, from time to time, and at all times, truly observe, follow and fulfill, to the best of my skill and ability and knowledge, all such orders and directions as I shall or may receive from the Commissioners of Pilotage, relative to all matters and things that may appertain to the duty of a pilot; and, further, that I will not, at the same time, be owner, part owner, nor be interested, directly or indirectly, in more than two boats employed in the business of the pilotage of the bar and harbor of Charleston, (Beaufort or Georgetown, as the case may be): So help me God."

SEC. 6. That after any such person or applicant shall have taken the oath or affirmation aforesaid, and subscribed to the same, the said Board of Commissioners shall require such person to execute to them, and their successors in office, a bond, with two sureties, to be approved by them, in the sum of five hundred dollars, if his license be of nine or twelve feet, or in the sum of one thousand dollars, if it be a full license; which bond shall be conditioned for the faithful discharge of his duties as such pilot; whereupon the said Board of Commissioners shall deliver to such person a license, to be measured by his respective draft of water; said license to be signed, either by the President of the said Board, under direction of a majority thereof, or by such majority themselves.

SEC. 7. That the respective Boards of Commissioners of Pilotage shall have power and authority, for any cause, or charge, to them satisfactorily proven, to order and direct any or all pilots, for their respective bars and harbors, to deliver up his or their license or licenses, and to take out a new license or licenses; but no pilot, who shall satisfy them of the falsity of any such charge brought against him, shall be required to pay an additional fee for his new license; and it shall be the duty of the said respective Boards of Commissioners to lay before the County Commissioners of their respective Counties, immediately after the execution thereof, all bonds given by pilots; and, if the said County Commissioners be not satisfied with the security on such bond, every pilot, whose sureties shall be deemed insufficient, shall give a new bond, with such sureties, and within such time, as shall be approved or demanded by the said County Commissioners; in which case the pilot shall receive a new license on surrendering his former one; and every pilot not complying with these conditions, or any of them,

A. D. 1872.

Bond of applicants—
amount of,
and by whom
approved.

License—by
whom delivered and signed.

Pilots to deliver up licenses for sufficient cause.

Bonds of Pilots to be examined by County Commissioners.

A. D. 1872.

Number of
Pilots to be
determined
by Board of
Commission-
ers.

shall forthwith forfeit his license, and shall be disqualified to act as pilot at either of the respective bars or harbors aforesaid for the period of twelve (12) months. The number of pilots for either of the bars or harbors above named shall be determined by the respective Boards of Commissioners, aforesaid: *Provided*, That said Boards of Commissioners shall make no distinctions in the selection of pilots on account of race, color or previous condition.

Power of
Boards of Pi-
lotage in case
of dereliction
of duty.

SEC. 8. The majority of the respective Boards of Pilotage aforesaid shall have power and authority, in their respective jurisdictions, to take away the license of a pilot for a given time, or to declare his license null and void, as the nature of the case may demand, upon charge of any dereliction of duty, made and proven against him: but each and every pilot, against whom any charge shall be made, shall be entitled to a hearing before his Board of Pilot Commissioners, and to make any proper defense to such charge before said Board of Commissioners; and if any pilot has forfeited his license, or is no longer entitled to the use of his license, by virtue of this or any other clause of this Act, the Commissioners of Pilotage shall have the power to order the Harbor Master of their respective harbors to call on him for the surrender of his license; and, if he shall refuse to give up the same to the Harbor Master, on demand, the latter shall notify, for one week in the public daily papers, or for three weeks in the public weekly papers of his respective harbor, that such person has no longer a right to act as pilot, until he be reinstated by the Board of Commissioners.

No Pilot shall
absent him-
self without
permission,
nor hire out
his pilot boat.

SEC. 9. No pilot shall discontinue to act for three months, nor shall be absent himself at any time from his respective port or harbor without permission from the Commissioners of Pilotage of his said port or harbor; nor shall any pilot hire out his pilot-boat to any person or persons whomsoever, unless he substitute another boat, to be approved by the Commissioners aforesaid. But the said Commissioners shall never give such permission unless, in their opinion, there shall be a sufficient number of boats actually engaged in the service of pilotage. Nor shall any pilot substitute or employ, as a pilot, any one from whom license has been taken away, or become forfeited, as aforesaid. And any pilot herein in anywise offending shall, for each and every such offense, be deprived of his license by the Commissioners, or a majority of them; and, if so deprived, he shall be proceeded against, as provided in the latter part of the preceding Section of this Act; and shall, moreover, forfeit and pay to the State a sum not exceeding one hundred dollars.

No Pilot to
be employed
whose license
was ever for-
feited.

Penalty for
violation of
this Section.

Duties of Pi-
lots in case of
war.

SEC. 10. That, in case of war, no pilot shall bring in or furnish supplies to any armed vessels belonging to an enemy at war with the United States, or shall carry out any armed vessel to such

enemy, without being ordered to do so by the constituted authorities of the United States. And every pilot herein in anywise offending shall forthwith forfeit his license, and be disqualified forever after from acting as a pilot; and if, at any time, the President of the United States, or the Governor of the State, shall prohibit to furnish with supplies, or to bring in or carry out any vessel or vessels belonging to any nation or State, or to a subject or subjects of any nation or State, it shall be the duty of every pilot, for either of the bars or harbors hereinbefore named, to comply with every such prohibition, on pain of incurring the same penalty and punishment as for like offense in time of war.

SEC. 11. That every pilot, cruising or standing out to sea, shall offer his services, first, to the vessel nearest the bar, except when he sees a more distant vessel in distress, under a penalty of fifty dollars for each and every such neglect or refusal, either of approaching the nearest vessel, and of boarding her, if required, or of aiding any vessel showing signals of distress in the case above mentioned. And the Commissioners of Pilotage, or a majority of them, may, at their discretion, deprive the said pilot of his license: *Provided, however,* That nothing herein contained shall extend, or be construed to extend, to vessels of the description mentioned in the preceding Section; all of which vessels it shall be the duty of every pilot to avoid as much as possible, whenever they are known to, or justly suspected by, him as such.

SEC. 12. Whenever the Governor of the State shall issue a proclamation, subjecting vessels from certain ports or countries to quarantine, it shall be the duty of every pilot, conducting any such vessel over the bar of the ports above named, to bring her to the quarantine ground, and to remain on board, or go to the Lazaretto, without coming up to the port until the Port Physician shall permit it; and, during the time for which any such pilot remains on board any such vessel, or stays at the Lazaretto, he shall be allowed four dollars for each and every day of his remaining on board or staying at the Lazaretto, as aforesaid, and be found in necessary provisions and accommodations, at the expense of the master, owner or consignee of such vessel. And every pilot, neglecting or refusing to bring any such vessels to the quarantine grounds, or coming to the port without previously obtaining the Port Physician's permission, or before the time limited by the said Port Physician, shall, for each and every such offense, be deprived of his license, and shall not obtain another license before the expiration of one year, and forfeit and pay the sum of fifty dollars to the State.

SEC. 13. The pilot ground shall extend, from each of the bars above named, thirty miles eastward, southward and westward, and

A. D. 1872.

Services of Pilots to be offered to the nearest vessel except in case of distress.

Penalty.

Proviso.

Duties of Pilots when vessels are subjected to quarantine.

Pay of Pilots while on board of vessels at quarantine.

Penalty for neglect or refusal.

Extension of pilot ground.

A. D. 1872.

Masters of vessels refusing to receive a licensed Pilot liable to suit pilot for the fees allowed by this Act.

Proviso.

any master or commander of a vessel bearing toward either of said coasts or bars, (all coasters and other vessels trading between any ports within this State excepted,) who shall refuse to receive on board a licensed pilot, who shall offer to board, shall be, and is hereby, made liable, on his arrival at either of said ports, to pay the pilot who first offered to go on board and take charge of such vessel, the rates and fees allowed and established as hereinafter mentioned, as if such pilot had actually brought in such vessel to either port: *Provided, however,* That if a pilot having a nine or twelve-foot license only, as the case may be, is refused by the master of a vessel of greater draft, such master shall not be liable to him for her pilotage: *And provided, also,* That if a pilot refuse to produce his license to the master of a vessel, when the latter demands it, the fees of pilotage shall not be charged against the master rejecting the services of such pilot.

Rates and fees of Pilots.

SEC. 14. That any pilot boarding a vessel on pilot ground shall be entitled to receive from the master, owner or assignee, four dollars for every day of his being on board previous to her coming into port, in addition to the fees of pilotage hereinafter established. That every pilot of an inward bound vessel, who shall be directed by the master to anchor in the roads, and afterwards bring her into port, shall be entitled to receive four dollars from the master, owner or assignee; also, four dollars to bring a vessel anchored in the stream, (at the request of the master, owner or consignee,) and moor her at the wharf; four dollars to unmoor, (at the request of the master, owner or consignee,) and anchor in the stream, or from the stream to the roads, to be paid as aforesaid.

Pilot bringing in a vessel entitled to carry her out.

SEC. 15. That the pilot who brought in the vessel shall have the exclusive right of carrying her out, unless the master or commander of such vessel shall, within a fortnight after his arrival in port, prove to the satisfaction of the Pilot Commissioners at said port, or a majority of them, that the same pilot had misbehaved during the time he had charge of such vessel, or unless the said pilot shall have been deprived of his license before the departure of such vessel; in either of which cases another pilot may be employed, who shall be entitled to receive the outward pilotage; and every pilot having, or becoming entitled to carry out a vessel, shall either attend in person or procure another pilot of his own degree to attend for him on such outward bound vessel, after twelve hours' notice by the master, by the hoisting of his jack at the foretop-masthead for that time during daylight; but if such pilot should neither attend in person, nor substitute another pilot of equal degree with himself, the master of such vessel shall be at liberty, after the expiration of the above limited space of time, to employ another pilot of equal

Master to notify Pilot by hoisting a signal.

license, who shall be bound, if not previously engaged, to carry such vessel out, and who shall be entitled to the outward pilotage; and any pilot who shall carry out a vessel, not being entitled to do so, shall be liable to the pilot who had the right, in the amount of pilotage paid, or due, for carrying her out; and any pilot who brought in a vessel shall have a right to demand his fees of pilotage, and the lawful charges, as aforesaid, before her departure from port. And whenever a pilot, having a right to carry out a vessel, is apprehensive that his fees of pilotage may not be paid by her master, owner or consignee, he shall have a right to demand his fees in advance, or such security for the payment thereof as shall be reasonable and satisfactory; and, on failure thereof, may refuse to carry her out.

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When Master entitled to employ another Pilot.

Penalty for carrying out a vessel when not entitled to.

When fees may be demanded in advance.

SEC. 16. That no person shall be authorized or permitted to conduct and pilot any vessel over the bar of either of the harbors aforesaid, either when coming into or going out of port, unless such person shall have a license, as aforesaid; and every person not having received such license, or having forfeited the same, or being deprived thereof, as aforesaid, who shall presume to bring into or carry out of either of the aforesaid ports, any vessel which has to cross the bar, as well as every pilot having a limited license of twelve or nine feet, who shall presume to conduct a vessel of more than nine or twelve feet over either of the bars aforesaid, either in coming in or going out, shall be entitled to no fee, gratuity or reward for the same, but shall pay the regular pilotage to the pilot who shall first offer: *Provided, however,* That the foregoing prohibition shall not extend to prevent any person from assisting any vessel in distress, without a pilot on board, if such person shall deliver up such vessel to the first pilot who shall afterwards come on board and offer to conduct such vessel; and, also, that the captain and crew of a vessel shall not be liable to such fine for conducting her over the bar without the aid of a pilot, if, in either of the two last mentioned cases, a signal for a pilot is worn.

Penalty for piloting a vessel over the bar without a license.

Proviso.

SEC. 17. That every master of an outward bound vessel shall, at the appointed time of his departure, have his vessel in readiness for sailing, and, as a signal thereof, hoist a jack at the foretop-mast-head, and every master of a vessel who shall detain a pilot at the time appointed, so that he cannot proceed to sea, though wind and weather should permit, shall pay to such pilot four dollars per day during the time of his actual detention on such vessel.

Signal of readiness for sailing.

Fees of Pilots in case of detention.

SEC. 18. That if any master or commander of a vessel shall carry off any of the pilots for either of the bars or harbors aforesaid, he shall allow every such pilot four dollars for each and every day during his absence, and supply him with provisions and other ne-

Fees of Pilots carried off by Masters of vessels.

A. D. 1872.

cessaries, in the same manner as is usual for maintenance and accommodation of masters of vessels, and the master, as well as the owner, consignee and security of such vessel, shall be liable for the aforesaid sum: *Provided, however,* That no pilot, who is carried off as aforesaid, shall be entitled to any of the sums aforesaid if such vessel shall have laid to for the space of sixteen hours after having crossed the bar, and no pilot boat shall have appeared at the time to receive such pilot on board: *Provided, also,* That the master, owner or consignee shall defray the expense of such pilot back to either of said ports, as the case may be.

Proviso.

SEC. 19. That the owner or owners of every pilot boat, or pilot or pilots who may hire such boat, or may be employed thereon, shall cause such number to be put on the most conspicuous place of each boat's main and foresail as may be designated by the Harbor Master of the respective ports, and the figures designating the number of the boats, as aforesaid, shall be at least five feet in length, and be made to appear as conspicuous as possible, by being placed on each side of the main and foresail of every boat used in the pilotage; and every pilot omitting or neglecting to number the boat in which he may be interested, shall, on conviction before the Commissioners of Pilotage, be deprived of his license, and shall, in addition, be liable to pay a fine of one hundred dollars.

Each Pilot boat to be numbered as the Harbor Master may direct.

Penalty for neglect.

No Pilot to be interested in more than two boats.

SEC. 20. That if any of the said pilots shall enter or be connected in co-partnership in the business of pilotage of either of the bars and harbors aforesaid, as owner, part owner, or interested, directly or indirectly, with more than two boats employed in the said pilotage, the Commissioners of the Pilotage shall be, and they are hereby authorized, to take away the license of such pilot, and declare the same null and void; and such pilot, in any manner offending against this Section, shall forfeit and pay a sum not exceeding five hundred dollars.

Pilot to remain aboard a vessel when the Master requires it.

SEC. 21. That it shall be the duty of a pilot, if required by the master or commander of a vessel, to remain on board while such vessel is anchored in the roads, outward bound, at the rate of four dollars per day; and in case of refusal or neglect, the pilot shall be deprived of his license by the Commissioners of Pilotage of his port, and pay a sum not exceeding fifty dollars.

Rates and fees to be determined by Commissioners of Pilotage.

SEC. 22. That the master, owner or consignee of any ship or vessel, for the consideration of the pilotage of the said ship or vessel, inward to, or outward from, either of the aforesaid ports, shall pay to the licensed pilot who shall take charge of the same, the several sums of money, rates and fees, which the Commissioners of Pilotage of the aforesaid respective harbors or ports may determine and fix upon, according to the draft of water of the said ship or

vessel; and the Commissioners of Pilotage of the respective ports or harbors aforesaid, are hereby authorized and directed to determine, for their respective ports or harbors, such rates and fees as to them shall seem meet and proper, both as well for the draft of the ship or vessel as for taking such ship or vessel around any river requested by the master, owner or consignee, and for taking letters from either of the harbors or ports aforesaid, to vessels outside the respective bar, and waiting orders, and delivering them on board, the amount of inward pilotage of such vessel's draft.

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SEC. 23. That whenever a vessel has crossed over, or is inside of, either of the aforesaid bars, the master shall not be compelled to take a pilot; but, if he demands the services of a pilot, he shall pay the customary fees of pilotage, as in other cases.

Master, when not compelled to take a Pilot

SEC. 24. The respective Commissioners of Pilotage shall have power and authority to prescribe to the several pilots of their respective ports such orders and regulations, not inconsistent with this Act, as to them, or a majority of them, may appear suitable and proper; and any pilot neglecting or refusing to conform to any such orders or regulations, shall forfeit and pay, for each offense, the sum of fifty dollars.

Rules and regulations.

SEC. 25. That the Harbor Master of each of the aforesaid harbors shall be bound to keep constantly a complete register, specifying the licenses of all the pilots (with their residences) of his respective bar and harbor, and of all boats to which they are severally attached, and the name, number, and the owner or owners of the same, and also to register any change or alteration that may take place in either of the above particulars; which change or alteration the pilots are hereby required, from time to time, to report to the Harbor Master of their respective port, as they may occur, in order that masters of vessels, or persons interested, may have it always in their power to know from him at once who are the responsible persons on board of each boat, and thereby obtain such information as they may find necessary. And every pilot or owner of a pilot boat, neglecting or refusing to report, as aforesaid, shall, for each omission, forfeit and pay a fine not exceeding fifty dollars; and it shall be the duty of said Harbor Master, on the first Monday of each month, to report to the Commissioners of Pilotage a register, as above specified, and also such pilots as may have neglected or refused to comply with the foregoing requisitions; and the said Harbor Master shall furnish every master of a vessel coming to the Harbor Master's office with a copy of this Act, for the purpose of perusing it at said office, without charging, or being allowed to charge, any fee or perquisite for any or either of the aforesaid services; and, for every neglect of duty in the prem-

Harbor Master required to keep a complete register.

Pilots to report to Harbor Master the responsible persons on each boat.

Penalty for neglect.

Harbor Master to furnish copies of this Act to Masters of vessels

A. D. 1872.

ises, the said Harbor Master (of either of the aforesaid ports) shall forfeit and pay a sum not exceeding fifty dollars, to be imposed by the Commissioners of Pilotage at his respective port, and deducted from his salary.

Duties of Commissioners of Pilotage in case of marine disaster.

SEC. 26. That it shall be the duty of the Commissioners of Pilotage of either of the ports aforesaid, on the occasion of any marine disaster to any vessel in charge of a pilot of their respective port, to make a careful examination of the cause or causes of such disaster, by immediately summoning before them the pilot in charge of the vessel, and obtaining such testimony from the parties interested or not, as the case may be, in their power; and the result of such investigation shall be placed upon record, copies of which shall be furnished, when desired, at the expense of the applicant. The marine reports of the daily papers, or private information, shall be deemed sufficient cause for such investigation by the Commissioners of Pilotage.

Disposition of fines recovered under this Act.

SEC. 27. That each and every fine, forfeiture and penalty for each and every offense against this Act, or any part, clause or article, shall be prosecuted, sued for and recovered in any Court of competent jurisdiction, for the use of the State; and the penalties imposed in this Act shall, in every case, be recovered, although the Commissioners of Pilotage may not think proper to deprive the pilot in default of his license in any instance herein authorized; and the Commissioners of Pilotage now in office shall act as such until the appointment of others under the provisions of this Act, and shall exercise all the powers vested in the Commissioners of Pilotage under the provisions of this Act.

Commissioners now in office to act until new appointments are made.

Commissioners' term of office.

Vacancy.

SEC. 28. The members of the respective Boards of Commissioners herein provided for shall hold their offices for two years, unless sooner removed by the Governor. When a vacancy occurs, a new appointment shall be made for the full term.

Rights of Pilots already licensed not interfered with by this Act.

SEC. 29. This Act shall not be construed to interfere with the rights of any pilots who already hold either a limited or full branch or license; but all such pilots, after the passage of this Act, shall be subject to all its penalties and forfeitures, and entitled to all its privileges and immunities.

Repealing clause.

SEC. 30. That all Acts or parts of Acts inconsistent with the provisions of this Act, and all Ordinances or parts of Ordinances in conflict or inconsistent with the provisions thereof, be, and the same are hereby, repealed.

Approved February 27, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF CORESBURY."

A. D. 1872.

No. 49.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section seventy-six (76) be so amended, in the second line, by striking out the word "six," and inserting, in lieu thereof, the word "four," so as to read as follows: "The said Town Council shall be governed by an Intendant and four Wardens."

SEC. 2. That Section eighty-four (84) be so amended, in the seventh line, by striking out the word "ten," and inserting, in lieu thereof, the word "five," so as to read: "No tax shall be imposed, in any one year, to exceed the rate of five cents on each hundred dollars of such assessed property."

Rate of taxation limited.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE BROTHERLY ASSOCIATION, OF CHARLESTON, S. C.

No. 50.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. Wallace, B. K. Kinloch, Edward Fordham, M. J. Simonds, Thos. Lesesne, A. E. O'Neil, and their associates and successors, are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Brotherly Association, of Charleston, S. C.," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter, and make new the same, as often as the said corporation shall judge expedient.

Corporators.

Corporate title.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess, and retain to itself, in perpetuity, or for any term of years, any lands for the purpose of interments, or other property, of what nature soever, not exceeding the value of fifty thousand dollars, or to sell or alien the same, as the said corporation shall think fit; and, by its corporate name, to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as, for the order, good government and management thereof, may be deemed necessary and expedient.

Powers and privileges.

A. D. 1872.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 27, 1872.

No. 51.

AN ACT TO PROVIDE FOR THE SPEEDY APPORTIONMENT OF STATE APPROPRIATIONS, MADE FOR THE SUPPORT AND MAINTENANCE OF FREE COMMON SCHOOLS.

Appropriation to be appropriated within fifteen days

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Superintendent of Education be, and he is hereby, authorized and empowered, if, in his judgment, the exigencies of the case require, to apportion to the several Counties of the State any State appropriation made for the support and maintenance of Free Common Schools, within fifteen (15) days after said appropriation shall have been made.

SEC. 2. That this Act shall take immediate effect.

Approved February 27, 1872.

No. 52.

AN ACT TO CHANGE THE NAME OF WM. NATHANIEL MARTIN, AND TO MAKE HIM ONE OF THE LEGAL HEIRS OF HIS FATHER.

Preamble.

Whereas, Wm. B. Davis, a citizen of Williamsburg County, is the father of an illegitimate child, a boy, now going by the name of Wm. Nathaniel Martin; and, whereas, said Wm. B. Davis is desirous of having the name of said child changed to that of Wm. Nathaniel Davis, and to have conferred upon him all the rights of legitimacy; therefore,

Wm. N. Martin's name changed to Davis.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the said Wm. Nathaniel Martin be changed to that of Wm. Nathaniel Davis.

Rights of legitimacy conferred on him.

SEC. 2. That all the rights of legitimacy are hereby conferred upon the said Wm. Nathaniel Martin, and that he be considered one of the legal heirs of his father, Wm. B. Davis, as if born in lawful wedlock.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE SPRINGFIELD BAPTIST CHURCH,
OF THE CITY OF GREENVILLE, S. C.

A. D. 1872.

No. 53.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Society be, and are hereby, incorporated, and are hereby declared to be a body corporate, by the name and style of the Springfield Baptist Church, and by that name and style shall have a succession of officers and members, and shall have a common seal.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value fifty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued, in any Court of competent jurisdiction in this State, and make such rules and by-laws, not repugnant to the laws thereof, as they may deem necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 27, 1872.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BARNWELL COUNTY TO ESTABLISH A PUBLIC ROAD FROM BINAKER'S BRIDGE, VIA THE TOWN OF GRAHAMS AND HONEY FORD, ACROSS THE BIG SALKEHATCHIE SWAMP, IN THE VICINITY OF RUSH'S MILL, TO INTERSECT THE BUFORD'S BRIDGE AND BARNWELL ROAD AT THAT POINT.

No. 54.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Barnwell County be, and they are hereby, authorized, empowered and required, immediately after the passage of this Act, to lay out, make and keep in repair a public road, leading from Binaker's Bridge, through the town of Grahams, *via* Honey Ford, on the Little Salkehatchie Swamp, to the road leading from Buford's Bridge to Barnwell C. H., crossing the Big Salkehatchie Swamp at or near Rush's Mill.

Road from
Binaker's
Bridge.

SEC. 2. That said County Commissioners shall appoint a competent person to survey and lay out said road; and, immediately thereafter, cause the same to be constructed.

Appointment
of surveyor.

SEC. 3. That, in the construction of said road, the Commissioners aforesaid shall cause to be constructed and erected such bridges

A. D. 1872.

Contract to
be awarded to
lowest bidder

as shall be recommended by the surveyor aforesaid; and they shall cause public notice to be given, with the specifications required, and shall award the building of the said bridges to the lowest bidder: *Provided, however,* That the said bidder shall file his bond, with proper security, in double the amount of said contract, for the faithful carrying out of its provisions, in the custody of the proper officers: *And provided, also,* That the cost of erecting said bridges shall not exceed three hundred dollars.

County Com-
missioners to
call out per-
sons liable to
road duty.

Penalty for
default.

SEC. 4. That the County Commissioners be further authorized and required to order out all persons liable to road duty, residing within four miles of the line of said road, as located, (except those living in incorporated towns,) to perform three days' work in each month on said road, until its completion, to the satisfaction of the County Commissioners, commencing immediately after the survey of said road has been completed; notice to be given by the County Commissioners in the manner such notices have been heretofore given; defaulters to be fined two dollars for each day's failure to work as notified—the fines to be collected by the County Commissioners, and paid into the Treasury for the use of said County.

Bridges—
when to be
completed.

SEC. 5. That the bridges, mentioned in the third Section of this Act, be completed during the first and second month from the commencement of the construction of said road.

Approved February 27, 1872.

NO. 55. AN ACT TO REVIVE AND RENEW THE CHARTER AND CORPORATE PRIVILEGES OF THE TRUSTEES OF THE BENNETTSVILLE ACADEMICAL SOCIETY.

Corporate
privileges re-
vived.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 2, 3 and 16 of an Act entitled "An Act to incorporate certain societies and companies, and to renew and amend certain charters heretofore granted," ratified on the eighteenth day of December, in the year of our Lord one thousand eight hundred and forty-four, be, and the same are hereby, revived and re-enacted, only in so far as to renew the charter and corporate privileges therein conferred upon the Trustees of the Bennettsville Academical Society, to be a body politic and corporate, entitled to all the rights and privileges in said Act granted, not repugnant to the laws of the land; that the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value, the

sum of ten thousand dollars: *Provided*, That the said Trustees of the Bennettsville Academical Society be subject to an Act to provide for the formation of corporations, so far as the same may be applicable: *Provided, further*, That nothing herein contained passed December 17, 1841.

A. D. 1872.

Subject to
provisions of
Act of 1841.

shall exempt them from the provisions of Section 41 of an Act

SEC. 2 This Act shall be deemed a public Act, and shall continue in force until amended or repealed.

Approved February 27, 1872.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS TO REMOVE IMBECILES FROM THE LUNATIC ASYLUM TO THEIR RESPECTIVE COUNTY POOR HOUSES.

No. 56.

Whereas, experience has established the fact that imbeciles should not be confined in the same building with the insane; and, whereas, the insane—who, as a class, require special treatment—have frequently to be refused admission into the asylum for want of room; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the County Commissioners of the various Counties in the State shall remove their imbeciles from the State Lunatic Asylum, upon due notice from the Superintendent to the said County Commissioners as to the number of imbeciles confined in the institution from their respective Counties, and shall hereafter take care of all such persons in their respective County Poor Houses.

Imbeciles to
be removed
from Lunatic
Asylum to
Poor Houses.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved February 27, 1872.

AN ACT TO CHARTER THE STATE SAVINGS AND INSURANCE BANK, OF ANDERSON, SOUTH CAROLINA.

No. 57.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James L. Orr, Jesse W. Norris, O. A. P. Fant, D. M. Watson, Wm. Perry, Jacob Burriss, W. S. Sharpe, B. F. Crayton, John Martin,

Corporators.

A. D. 1872.

Corporate
names.Powers and
privileges.

Capital stock.

President and
Directors—
appointment
and duties.Clerks—ap-
pointment
and compen-
sation.

John R. Cochran, John B. Sitton, F. E. Harrison, W. B. Watson, Sr., B. D. Dean, John Wilson and J. W. Harrison, together with such persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The State Savings and Insurance Bank, of Anderson, South Carolina;" and by that name and style shall be, and is hereby, made capable, in law, to have, purchase, enjoy and retain to it and its successors, lands, rents, tenements, goods, chattels and effects, of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever, and have perpetual succession; to have and exercise the rights and privileges of other corporations now existing, or that may hereafter be enacted; and, also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation.

SEC. 2. That the capital stock of said corporation shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, and may be increased, from time to time, to a sum not exceeding five hundred thousand dollars, as may be deemed necessary by the Board of Directors.

SEC. 3. The persons named in the first Section of this Act shall be the Directors of this Company until others are appointed by the stockholders, and they may, as soon as proper, appoint a President from among their number, or from among others who may hereafter be associated with them; and the said President shall continue in office for the period of one year from the day of his election, or until his successor is appointed. In case of a vacancy in the office of President or Director, from any cause, the remaining Directors may elect others to supply their places until a meeting of the stockholders shall be held. There shall be five or more Directors who, with the President, shall manage the affairs of the company. Three of said Directors shall constitute a quorum for any and all business purposes of said company. The meetings of the stockholders shall be held in the principal office of the corporation, which shall be designated by the Board of Directors.

SEC. 4. The President and Directors shall appoint such clerks and other officers as they may find necessary properly to conduct the business of said company, and allow them suitable compensation; all of which clerks and officers shall hold their places during the pleasure of said President and Directors.

SEC. 5. The President and Directors shall have power to appoint agents in any part of the State or elsewhere, and, at their discretion, may take from them bonds, with security, conditioned for the faithful performance of their duties; such agents being removable at the pleasure of the President, subject to the approval of the Board of Directors, or by the Board of Directors.

A. D. 1872.

Agents.

SEC. 6. The mode of voting at the meetings of said company, shall be one vote for each share of stock, and every stockholder may, at pleasure, by power of attorney or in person, assign or transfer his stock in the company, on the books of the same, or any part thereof, not being less than a whole share.

Mode of voting.

SEC. 7. The first annual meeting of the stockholders of said company shall be on the first Tuesday of June, 1872, and thereafter on the same day of each year: *Provided*, The said stockholders, at any regular meeting, or a Board of Directors, may, at any time, change the day of said annual meeting; and the President and Directors, may, at any time, call a general meeting of the stockholders, and any number of stockholders, owning not less than one-third of the whole number of shares, may require the President to call such meeting, and, on his refusal to do so, may themselves call such meeting, in such case giving at least ten days' notice, by publication in one or more newspapers published in the city of Columbia.

Annual meetings.

General meetings.

SEC. 8. The members of the company shall not be liable for any loss, damage or responsibility, other than the property they have in the capital and funds of the company, to the amount of shares held by them, respectively, and any profits arising therefrom not divided.

Responsibility of members.

SEC. 9. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company, to lend money upon personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt, and use their property in any manner incidental to a banking, insurance and trust business, or the general business of the company.

Investment of its capital stock.

SEC. 10. All policies of insurance, and other contracts made by said company, signed by the President, and countersigned by the Secretary, shall be obligatory on said company, and have the same effect as if attested by a corporate seal.

Insurance policies.

SEC. 11. This Act shall be in full force after its passage.

Approved February 27, 1872.

A. D. 1872.

No. 58.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE YEMASSEE AND MILLEN RAILROAD COMPANY, IN THE STATE OF SOUTH CAROLINA."

Road to be
commenced
within three
years,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Yemassee and Millen Railroad, in the State of South Carolina," approved March 9, A. D. 1871, be amended as follows, to wit, the words: "*Provided*, That the said work shall be commenced within one year, and completed within five years after the passage of this Act," occurring in the (7th) seventh, (8th) eighth and (9th) ninth lines of Section 4, be changed so as to read: "*Provided*, That the said road shall be commenced within (3) three years after the passage of this Act, and completed within (5) five years after the date of commencement of labor."

Said corpora-
tion not ex-
empt from
provisions of
Act of 1841.

SEC. 2. That nothing contained in said charter shall be so construed as to exempt said corporation from the provisions of Section 41 of "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," approved December 17, 1841.

Approved February 27, 1872.

No. 59.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE COLUMBIA, WALTERBORO AND YEMASSEE RAILROAD COMPANY."

Road to be
commenced
within three
years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Columbia, Walterboro and Yemassee Railroad Company," approved March 7, 1871, be amended as follows, to wit: The words, "*Provided*, That the said road shall be commenced within one year and completed within five years after the passage of this Act," occurring in the seventh, (7th,) eighth (8th) and ninth (9th) lines of Section (8) eight, be changed so as to read: "*Provided*, That the said road shall be commenced within three years after the passage of this Act, and completed within five years from date of commencement of labor." That the second Section of said Act shall be amended by striking out the

word "possible," wherever it occurs in said Section, and inserting, in place thereof, the word "practicable;" and that the third Section of said Act shall be amended by striking out the words "one hundred," in the eighth line of said Section, and inserting, in place thereof, the words "twenty-five."

A. D. 1872.

SEC. 2. That nothing contained in said Act of incorporation shall be so construed as to exempt said corporation from the provisions of Section 41 of "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," approved December 17, 1841.

Not exempt
from provisions of Act of
1841.

Approved February 27, 1872.

AN ACT TO RE-CHARTER THE FERRY OVER THE COMBAHEE
RIVER, SOUTH CAROLINA, KNOWN AS THE COMBAHEE FERRY.

No. 60.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the Ferry over the Combahee River (known as the Combahee Ferry) be, and the same is hereby, rechartered, and vested in Arthur Middleton, his heirs and assigns, for a term of fourteen years, with the following rate of toll: For each man and horse, ten cents; for each horse, led, five cents; for each foot passenger, five cents; for each wagon, drawn by four horses, seventy-five cents; for each wagon and carriage, drawn by two horses, fifty cents; for each wagon, drawn by one horse, twenty-five cents; for each gig or sulky, twenty-five cents; for each cart and horse, twenty-five cents; for each head of cattle, five cents; for each hog, sheep or goat, three cents; for long or double ferriage, double the amount of the above rates: *Provided*, That the said Arthur Middleton, his heirs or assigns, shall keep one or more good, substantial ferry boats, together with a suitable rope or chain, or such other contrivance as will insure safe and prompt transportation across said stream: *Provided, further*, That children going to and returning from school, and voters going to and returning from the polls on election day, shall be passed free of charge over said ferry.

Vested in
Arthur Mid-
dleton.

Rates o f
toll.

Ferry boats.

Persons en-
titled to free
transporta-
tion.

Approved February 27, 1872.

A. D. 1872.

No. 61.

AN ACT TO CHANGE THE NAMES OF LEE ABRAMS, JOHN ABRAMS, DUNKLIN ABRAMS AND MARY ABRAMS, TO LEE FERGUSON, JOHN FERGUSON, DUNKLIN FERGUSON AND MARY FERGUSON, RESPECTIVELY, AND TO PERMIT CHARLES M. FERGUSON TO ADOPT THEM, AND MAKE THEM HIS LAWFUL HEIRS.

Preamble.

Whereas the aforesaid Lee Abrams, John Abrams, Dunklin Abrams and Mary Abrams are all the minor children of Frances E. Abrams, now intermarried with the said Charles M. Ferguson, who is desirous of treating said children, in every respect, as his own, to confer upon them his own name, and to make them his lawful heirs; therefore,

N a m e s
changed from
Abrams to
Ferguson.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of the said Lee Abrams, John Abrams, Dunklin Abrams and Mary Abrams be changed, respectively, to Lee Ferguson, John Ferguson, Dunklin Ferguson and Mary Ferguson.

M a d e
lawful
heirs.

SEC. 2. That the said Lee Ferguson, John Ferguson, Dunklin Ferguson and Mary Ferguson shall, hereafter, be deemed lawful heirs of the said Charles M. Ferguson, and shall, upon the death of the said Charles M. Ferguson, providing he die intestate, inherit his property, in common with his other lawful heirs.

Approved February 27, 1872.

No. 62.

AN ACT TO RENEW, AMEND AND EXTEND THE CHARTER OF THE TRUSTEES OF THE PRESBYTERIAN CHURCH, OF SMYRNA, IN NEWBERRY COUNTY.

C o r p o r a t e
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David B. Piester, George W. Senn, Henry Hendrix, Henry D. Boozer and Thomas N. Boozer, Trustees of the Presbyterian Church, of Smyrna, in Newberry County, and their successors in office, be, and the same are hereby, declared a body politic and corporate, under the name and style of the Trustees of the Presbyterian Church, of Smyrna, in Newberry County, with all the rights, powers and privileges heretofore granted to the Trustees of the Presbyterian Church, of Smyrna, in Newberry District, by an Act of the General Assembly, passed December —, A. D. 1857; and the charter of same is hereby renewed and extended for the term of twenty-five years.

P o w e r s
and
privileges.

Approved February 27, 1872.

AN ACT TO AUTHORIZE ALIENS TO HOLD PROPERTY.

A. D. 1872.

No. 63.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That real and personal property, of every description, may be taken, acquired, held and disposed of by an alien, in the same manner, in all respects, as by a natural born citizen; and a title to real and personal property of every description may be derived through, from, or in succession to an alien, in the same manner, in all respects, as through, from, or in succession to a natural born citizen.

Aliens entitled to rights of property as natural born citizens.

Approved February 27, 1872.

AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE, S. C.

No. 64.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the village of Lewisville, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said village shall be called and known by the name of Lewisville, and its corporate limits shall extend three-fourths of a mile, in each direction, from the new store of W. H. Hennon.

Corporators.

Corporate limits.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the fourth Monday in May, 1872, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

Officers of town.

Electors.

SEC. 3. The said election shall be held at some convenient public place in said village, from six o'clock in the morning until five o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and declare the election,

Election.

A. D. 1872.

and give notice thereof, in writing, to the Intendant therein being or cause the same to be given, to the person duly elected: *Provided*, The Commissioners of Election of Orangeburg County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make return thereof to the Commissioners, the same as other elections held in this State. And the said Commissioners shall count the votes, and declare the election, and notify the persons so elected, Intendant and Wardens of the said village. The Intendant and Wardens, before entering upon the duties of their offices, shall respectively take the oath prescribed by the Constitution of the State, and, also, the following oath, to wit:

Oath of office.

"As Intendant (or Warden) of the village of Lewisville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve either as Intendant or Warden more than one year in any term of three years. The Intendant and Wardens for the time being shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

Board of Managers.

Vacancies, how filled.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held, by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Judicial powers.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices, (or Justices of the Peace, as the case may be,) in this State, within the limits of the village, except for the trial of small and mean causes; and the Intendant shall, or may, as often as necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Lewisville; and they, and their successors in office hereafter to be elected, may have a common seal, which

General powers and privileges.

shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded, in any Court of justice in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said village as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council. And the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same. And the said Town Council, or the said Intendant or Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them. And it shall be the duty of the Town Marshals or Constables to arrest and commit all such offenders, when required so to do, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests, and, upon the failure of said officers to perform such duty as required, they shall, severally, be subject to fines and penalties as the Town Council may impose upon them. And all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she or they may have committed. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules and regulations, by-laws and ordinances, respecting the streets, roads and the business thereof, as well as the

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Constables—
powers and
duties.Market and
Guard House.Power to ar-
rest and com-
mit to Guard
House.Cost, &c., of
imprison-
ment.

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Fines.

police system of the said town, as shall appear to them necessary and proper, for the security, welfare and convenience, and for preserving health, order and good government within said town. And the said Town Council may impose fines for offenses against their by-laws, rules, regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices or Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person or persons, for violation of any of their ordinances, by-laws, rules and regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in proper Courts of justice in this State; and, also, that nothing herein contained shall authorize said Council to make any ordinances or by-laws inconsistent with, or repugnant to, the laws of the State.

Nuisances.

SEC. 6. That the said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets in said town open and in good repair, and, for that purpose, they are invested with all the powers of County Commissioners, or Commissioners of Roads, for and within the corporate limits of the said town; and they may lay out new streets, close up, widen, or otherwise alter those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town liable to street, road, or other duty therein, and to force the performance of such duties, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations may require, the money so received to be applied to the public use of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine, in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town:

Road and street duty.

Power to close and open streets.

Provided, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

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Proviso.

SEC. 7. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town to close in and to make and keep in good order and repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in judgment of Council, such sidewalk or sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to close such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of the said Town Council.

Sidewalks.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse licenses to keep taverns or retail spirituous liquors, within the corporate limits of the said town, upon such conditions and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price be less than the amount that is established by the State; and all moneys paid for licenses, and for fines and forfeitures, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to regulate sales at auction within the corporate limits of the town; and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares, or mules, kept for hire, or used for public purposes in said town; and they have the full and only power to impose a tax on all shows or exhibitions for gain or reward, within the corporate limits of said town; they shall have power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real or personal property, lying within the corporate limits of the town, the real and personal property of churches and schools and college associations excepted. That an ordinance declaring the rates of annual taxation

Licenses.

Sales at auction.

Tax on drays and exhibitions.

Tax on real and personal property.

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Property
holders to
make oath of
their prop-
erty.

upon property and other subjects of annual taxation for the year shall be published at least three weeks during the month of January in each year: *Provided*, That the said Town Council shall have power to levy a tax for this year, under the same rules as is above stated, immediately after the passage of this Act, and that all persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do during the succeeding month after publication; and, upon the failure to make such returns and payments as required, the parties so in default shall be subject to the penalties provided by law for the failure to pay the general State and County tax, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of said town, except that, in such cases, that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other persons appointed by the said Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall be paid first; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be payable, in advance, by the parties liable for the same; and, on failure of payment, their property shall be liable for the same, as in manner and form just before stated.

Executions.

Taxes pay-
able in ad-
vance.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term; which account shall be published in one or more papers of the town or County, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and, on failure to do so, shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Shall give
account of re-
ceipts, expen-
ditures, &c.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Lewisville shall be binding upon the citizens of said town the same as the laws of the State.

SEC. 11. That all Acts and parts of Acts inconsistent with or supplied by this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force for the term of twenty years, and until the end of the session of the Legislature thereafter.

A. D. 1872.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 28, 1872.

The foregoing Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,
Secretary of State.

AN ACT TO RELIEVE THE STATE OF SOUTH CAROLINA OF ALL LIABILITY FOR ITS GUARANTY OF THE BONDS OF THE BLUE RIDGE RAILROAD COMPANY, BY PROVIDING FOR THE SECURING AND DESTRUCTION OF THE SAME.

No. 65.

Whereas the State of South Carolina has, by and in pursuance of the provisions of an Act approved the fifteenth day of September, A. D. 1868, entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina," endorsed a guaranty of the faith and credit of the State on four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, comprehending the Blue Ridge Railroad Company, in South Carolina; the Blue Ridge Railroad Company, in Georgia; the Tennessee River Railroad Company, in North Carolina; the Knoxville and Charleston Railroad Company, in Tennessee, and the Pendleton Railroad Company, in South Carolina, for the purpose of aiding the speedy completion of the said railroad, which bonds are liable for the debts of the said railroad companies; and whereas the present condition of the finances of the State, and of said companies, is such as to make the further continuance of said bonds on the market inexpedient and unadvisable, and a serious injury and prejudice to the credit of the State; and whereas the existence of the said four millions of dollars of bonds, so guaranteed, creates a large liability upon the

Preamble.

A. D. 1872.

part of the State, which the Treasurer may be required to meet at unforeseen and inopportune times; and whereas the liability of the State, on account of such guaranty, should be faithfully met and discharged; therefore, in order to secure the recovery and destruction of the bonds and coupons of the said Company, issued under and in pursuance of the provisions of the aforesaid Act, now pledged in the city of New York and elsewhere, and to relieve the State of all liabilities whatsoever, by reason of its endorsement and guaranty of said bonds:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby directed, with the consent, in writing, of the President of the Blue Ridge Railroad Company, in South Carolina, to require the Financial Agent of the State, in the city of New York, immediately to deliver to the State Treasurer all the bonds of the Blue Ridge Railroad Company, endorsed and guaranteed by the State of South Carolina, which are now in his possession, and held by him as collateral security, for advances made by the said Financial Agent, by the order of the Financial Board, to the Blue Ridge Railroad Company; and upon the delivery of said bonds, the Treasurer is hereby required to cancel the same, in the manner hereinafter directed; and the said Blue Ridge Railroad Company shall thereupon be discharged from all liability to the State on account of such advances.

SEC. 2. That upon the surrender by the said Company to the State Treasury of the balance of the said four millions of dollars of bonds, issued by the said Blue Ridge Railroad Company, and guaranteed by the State, the State Treasurer is hereby authorized and required to deliver to the President of the Blue Ridge Railroad Company, in South Carolina, Treasury certificates of indebtedness (styled Revenue Bond Scrip) to the amount of one million eight hundred thousand dollars, the said certificates to be executed in the manner hereinafter directed; and if the said Company shall not be able to deliver all of said bonds at one time, the Treasurer is authorized and required to deliver to the said President such amount of such Treasury certificates as shall be proportioned to the amount of bonds delivered.

SEC. 3. That, to carry out the purposes of this Act, the State Treasurer is hereby authorized and required to have printed, or engraved on steel, as soon as practicable, Treasury certificates of indebtedness, to be known and designated as Revenue Bond Scrip of the State of South Carolina, in such form, and of such denomination as may be determined on by the State Treasurer and the Presi-

Financial
Agent to de-
liver to State
Treasurer
bonds of Blue
Ridge Rail-
road Compa-
ny.

State Treas-
urer to cancel
the same.

Treasurer to
deliver reve-
nue bond
scrip to Presi-
dent Blue
Ridge Rail-
road.

Bond scrip
to be printed
and signed by
State Treas-
urer.

dent of the Blue Ridge Railroad Company, in South Carolina, to the amount of one million eight hundred thousand dollars; which Revenue Bond Scrip shall be signed by the State Treasurer, and shall express that the sum mentioned therein is due by the State of South Carolina to the bearer thereof, and that the same will be received in payment of taxes and all other dues to the State, except special tax levied to pay interest on the public debt.

A. D. 1872.

SEC. 4. That the faith and funds of the State are hereby pledged for the ultimate redemption of said Revenue Bond Scrip, and the County Treasurers are hereby required to receive the same in payment of all taxes levied by the State, except in payment of special tax levied to pay interest on the public debt; and the State Treasurer and all other public officers are hereby required to receive the same in payment of all dues to the State; and, still further to provide for the redemption of said Revenue Bond Scrip, an annual tax of three mills on the dollar, in addition to all other taxes, on the assessed value of all taxable property in the State, is hereby levied, to be collected in the same manner, and at the same time, as may be provided by law for the levy and collection of the regular annual taxes of the State; and the State Treasurer is hereby required to retire, at the end of each year from their date, one-fourth of the amount of the Treasury Scrip hereby authorized to be issued, until all of it shall be retired, and to apply to such purpose exclusively the taxes hereby required to be levied.

Faith and credit of State pledged for redemption of said Scrip.

Annual tax of 3 mills to be levied.

One-fourth of said Scrip to be retired annually.

SEC. 5. That if any such Revenue Bond Scrip is received in the Treasury for the payment of taxes, the Treasurer be, and he is hereby, authorized to pay out such Revenue Bond Scrip in satisfaction of any claims against the Treasury, except for interest that may be due on the public debt.

Treasurer may pay o. said Scrip in satisfaction of claims.

SEC. 6. That upon the delivery to the State Treasurer of the said guaranteed bonds of the Blue Ridge Railroad Company, or of any part of them, the Treasurer is hereby required to cause the same to be cancelled and destroyed, in the presence of the President of the Blue Ridge Railroad Company, in South Carolina, and in the presence of a Joint Committee of the Senate and House of Representatives of this State, to be for that purpose appointed.

Cancellation of said bonds.

SEC. 7. That whenever the whole number of the said guaranteed bonds shall have been delivered to the Treasurer and cancelled, as required by the provisions of this Act, the lien of the State of South Carolina upon the estate, property and funds of the said Blue Ridge Railroad Company, in this State, and of the other associated companies in the States of Georgia, North Carolina and Tennessee, as secured by the provisions of an Act entitled "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Caro-

Lien of State upon the estate of Blue Ridge R. R. discharged and released.

A. D. 1872.

lina," passed on the fifteenth day of September, Anno Domini one thousand eight hundred and sixty-eight, and all other claims or liens which are held by the State against said company or companies, on account of said guaranty, shall, from thenceforth, be forever discharged and released; and should the said company be unable, from any cause, to deliver all of said bonds, such liens shall be discharged and released to an extent which shall be proportional to the amount of such bonds actually delivered.

May change
its name.

Power to is-
sue bonds.

Sales of cer-
tain stock
confirmed.

SEC. 8. That, if the said company shall accept the provisions of this Act, it shall be authorized, if the Board of Directors may desire, to change the corporate name of the company to that of the "Knoxville and South Carolina Railroad Company," and shall have power to extend its railroad, or to construct branches thereof, to any points or places in this State, with all the powers and privileges with which the said company is now vested by the provisions of its charter; and the said company shall also have power to issue bonds, and to secure the same by a mortgage, to such amount, and in such manner as the Board of Directors may direct. And all sales of stock in the said Blue Ridge Railroad Company, in South Carolina, and its associate companies, formerly held by the State and sold by the Commissioners of the Sinking Fund, be, and they are hereby, confirmed.

Penalty for
forging said
scrip.

SEC. 9. That if any person shall forge or counterfeit the Treasury Scrip hereby authorized to be issued, or shall, directly or indirectly, aid or assist in the forging or counterfeiting of such scrip, or shall issue, or in any manner use any such, forged or counterfeited, he shall, on conviction thereof, be fined in the discretion of the Court, and shall be imprisoned in the Penitentiary for a term not exceeding ten years.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., March 2, 1872.

On the question "Shall this Act become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, pursuant to provisions of the Constitution, resulting: Yeas, 84; nays, 18; and ordered to be sent to the Senate.

By order :

(Signed)

A. O. JONES, C. H. R.

IN THE SENATE, COLUMBIA, S. C., March 2, 1872.

A. D. 1872.

On the question "Shall this Act pass and become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, pursuant to provisions of the Constitution, (Art. III, Sec. 22,) the Act passed, by a *viva voce* vote of: Yeas, 22; nays, 6; and ordered to be returned to the House of Representatives.

By order:

(Signed)

J. WOODRUFF, Clerk of Senate.

AN ACT TO INCORPORATE THE VILLAGE OF SMITHVILLE,
CHRIST CHURCH PARISH, S. C.

No. 66.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, the village of Smithville be, and the same is hereby, incorporated; and all the privileges, rights and immunities granted by an Act to incorporate the town of Florence, South Carolina, be, and the same are hereby, vested in the said village; and that the first election, under this Act, to be held on the first Monday in April, 1873, the Clerk of Court for Charleston County do appoint Managers to conduct the same, by giving the proper time and notice thereof.

Rights and
privileges of
charter of Flo-
rence con-
ferred upon
village of
Smithville.

SEC. 2. That A. Smith, Wm. Murrill and David Dial be, and are hereby, appointed Commissioners to fix the boundary of said village; said boundary to extend one mile in every direction from the fork of the Georgetown and Melton Road.

Commission-
ers.

Limits of
town.

Approved March 4, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF OR-
ANGEBURG.

No. 67.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the town of Orangeburg be so amended that, whenever it shall

A. D. 1872.

Board of Appraisers—
their appointment, powers
and duties.

County Treasurer to pay
sum appraised.

become necessary for a new street or road to be opened within the incorporate limits of the said town, it shall be, and is hereby, made the duty of the Town Council of said town to have a Board of Appraisers appointed, to value the damage sustained by the owner or owners of lands through which said street or road is to pass, said Appraisers' Board to consist of three members, to be appointed as follows: One by the Intendant of the town, one by the owner or owners of the lands, and one by the Chairman of the Board of County Commissioners; and any damage caused by the running of said road or street to the owners of the lands shall be appraised by the said Board, and the County Treasurer shall, upon their joint warrant, pay out said sum, as may be appraised, out of any funds in his hands to the credit of the County.

Approved March 4, 1872.

No. 68. AN ACT TO CHARTER THE WALHALLA FEMALE COLLEGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dr. Thos. S. Waring, J. W. Stribling, J. A. Beard, C. E. Watson, Dr. A. E. Norman, Rev. B. Holden, Wesley Pitchford, Rev. J. P. Smeltzer, J. J. Norton, W. C. Keith, J. H. Whitner, H. S. Van Deviere, S. P. Dendy, R. A. Thompson, J. P. Mickler, G. M. Yarborough, and their successors in office, be, and are hereby, created and constituted a body politic and corporate, by the name and style of "The Trustees of the Walhalla Female College," for the purpose of organizing, establishing, governing and conducting a seminary of learning in the town of Walhalla, in the State of South Carolina; and that the said body politic and corporate, by the said name of "The Trustees of the Walhalla Female College," shall be capable and liable in law and equity to sue and be sued, to plead and be impleaded, to use a common seal, and to make all such by-laws and rules as they may deem necessary and proper for the regulation, government and conduct of said seminary of learning, except as is hereinafter provided for: *Provided*, That said by-laws and rules be not repugnant to the Constitution and laws of this State, or of the United States.

SEC. 2 That the said Board of Trustees shall hold their office for the term of twenty years, and shall be authorized to appoint such officers as they may think necessary and proper for the organi-

Corporate
name.

Powers and
privileges.

Trustees—
term of office,
and duties.

zation and government of their own body. And should any vacancy occur in the Board, by death, resignation or otherwise, the said Board shall have power to fill said vacancy.

A. D. 1872.

SEC. 3. That the said Trustees and their successors shall have and hold all the estate, property and funds now belonging to said college, and all property, funds, money, donations, legacies and devises which may hereafter be granted, conveyed, bequeathed, devised, or given to said college, in trust, nevertheless, for the use and benefit of said college.

SEC. 4. That the present President, Dr. Thos. S. Waring, shall hold his office during the pleasure of the Board of Trustees, and shall have full power to appoint all Professors, Tutors and Instructors of and in said college, and to remove the same at pleasure, and to exercise such general control and supervision over the Instructors, affairs and government of said college as he may deem advisable, subject to the approval of the Board of Trustees.

Appoint-
ment of Pro-
fessors.

SEC. 5. That the said President shall have power and authority to confer and award such distinction, honors, licenses and degrees as are usually conferred by similar colleges of the United States.

Conferring
of degrees, &c.

SEC. 6. That this Act shall be deemed and taken to be a public Act, and to continue in force until repealed.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE PROVIDENT LAND AND REAL
ESTATE COMPANY, OF CHARLESTON, SOUTH CAROLINA.

No. 69.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin H. Hoyt, Thomas A. Davis, Aaron Logan, N. T. Spencer, W. R. Jervay, S. E. Gaillard, Isaac Reed, H. W. Thompson, P. P. Hedges and B. A. Bosemon, Jr., and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Provident Land and Real Estate Com-pany, of Charleston, South Carolina."

Corporators.

Corporate
name.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby

Powers and
privileges.

A. D. 1872.

empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Investment
of funds.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper; and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

SEC. 4. This Act to continue in force until repealed.

Approved March 4, 1872.

NO. 70. AN ACT TO INCORPORATE THE WILLTOWN NATIONAL GUARDS,
OF COLLETON COUNTY.

Corporators.

Title.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin Rivers, Major Solomon and Chisholm Ford, under the name and style of the Willtown National Guards, of Colleton County, they and their successors and associates in office, be, and they are hereby, incorporated, and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall have power to use and keep a common seal, the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

SEC. 2. This Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 4, 1872.

AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM OF THE MEMBERS OF THE GENERAL ASSEMBLY AND SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

A. D. 1872.

No. 71.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the payment of the per diem of the members of the General Assembly and the salaries of the subordinate officers and employees, the sum of one hundred thousand dollars, if so much be necessary, be, and the same is hereby, appropriated out of any funds in the Treasury not otherwise appropriated.

Amount appropriated.

SEC. 2. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish each member of their respective bodies a pay certificate for the amount of the per diem, to include such dates as the General Assembly shall, by concurrent resolution, direct.

Pay certificates of members.

SEC. 3. That such certificates shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

By whom certified and attested.

SEC. 4. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with pay certificates, in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall, respectively, belong: *Provided, however,* That the pay certificates for services rendered, common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Pay of subordinates.

SEC. 5. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter, out of any funds in the Treasury not otherwise disposed of, prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury all moneys from incoming taxes, subject to the demands of such orders or certificates; and, should there be a deficiency of funds in the State Treasury, whereby the payment of said certificates cannot be made, the State Treasurer is hereby authorized and directed to borrow whatever amount of money is necessary to pay the said certificates, and to give his obligation, as State Treasurer, for the same, and such obligation shall be good and binding on the State, and shall be paid out of any moneys in the Treasury received

Treasurer to pay certificates at his counter.

Also authorized to borrow money, and give his obligation for the same.

A. D. 1872.

from taxes or from other sources: *Provided, further,* That no part of said moneys shall be used for payment of any claims issued prior to November 28, 1871.

Deficiency
appropriation

SEC. 6. That, for the purpose of meeting the deficiencies in the legislative appropriations for the regular session of 1870 and 1871, such deficiencies, consisting of unpaid certificates for the per diem and mileage of members and attachees of the General Assembly, the sum of one hundred and thirty thousand dollars be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated: *Provided,* That no obligation of the Treasurer shall be given, and no payment made, exceeding the amount named in the first and sixth Sections of this Act.

Approved March 4, 1872.

No. 72. AN ACT TO INCORPORATE THE MOUNT ZION M. E. CHURCH,
OF KINGSTREE, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mount Zion M. E. Church, of Kingstree, South Carolina, is hereby incorporated, with all the rights and privileges awarded to religious denominations in this State.

Rights and
privileges.

SEC. 2. That the said church may acquire property, real or personal, for religious and educational purposes, and may dispose, regulate and govern the same as they may deem proper, in accordance with their laws and discipline; such laws not being repugnant to the laws of the land.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 4, 1872.

No. 73. AN ACT TO INCORPORATE THE SPARTANBURG FEMALE COL-
LEGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel B.

Jones, President of Spartanburg Female College, with his associates and successors, be, and are hereby, declared a body politic and corporate, by the name and style of the "Spartanburg Female College," located in the town of Spartanburg, South Carolina.

A. D. 1872.

Corporat
name.

SEC. 2. That the said corporation shall have power, in its corporate name, to sue and be sued, plead and be impleaded, in any Court of law in this State; to purchase and hold real and personal estate; to have a seal, and to make all such by-laws for the government of said corporation as may be deemed necessary, not inconsistent with the laws of the State.

Powers.

SEC. 3. That the said corporation shall have power to elect professors for said college; to fill all vacancies as may occur among them; and to remove them at discretion; to prescribe a course of study to be pursued by the students; to confer degrees and award diplomas, and such other honorary distinctions to graduates as are common in the colleges of similar grade in the United States.

Professors—
election of.Course of
study, &c.

SEC. 4. That the private as well as the corporate property of the corporators shall be liable for all debts contracted for the college by its authorized agents.

Liability of
corporators.

SEC. 5. That the said corporation shall have power to take and hold, by donation, bequest or purchase, real and personal property, for the use of said college, to any amount not exceeding thirty thousand dollars.

Power to
hold and dis-
pose of prop-
erty.

SEC. 6. That this Act shall continue in force until repealed.

Approved March 4, 1872.

AN ACT TO RE-CHARTER THE TOWN OF FROG LEVEL.

No. 74.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons residing within the area of a square, each side whereof is one (1) mile, and the centre whereof is the public well, in the town of Frog Level, County of Newberry, are hereby created a body corporate, under the name of the town of Frog Level, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act approved the ninth day of March, A. D. 1871.

Corporators.

Provisions of
charter of
Manning con-
ferred upon
Frog Level.

A. D. 1872.

SEC. 2. That this Act shall be taken and deemed a public Act in all Courts of justice, and shall continue in force until altered, amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 4, 1872.

No. 75. AN ACT TO GRANT, RENEW AND AMEND THE CHARTER OF THE VILLAGE OF ROCK HILL, IN THE COUNTY OF YORK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within the State, and sixty days in the village of Rock Hill, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said village shall be called and known by the name of Rock Hill, and its corporate limits shall extend over an area of a square, each side whereof is one mile, and the centre whereof is "Gordon's Hotel."

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said village sixty days immediately preceding their election, and who shall be elected on the second Monday of January, 1873, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said village sixty days immediately preceding their election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

SEC. 3. The said election shall be held at some convenient public place in the said village, from 10 o'clock in the morning until 4 o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election; and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected. The Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by the Constitution of the State,

and also the following oath, to wit: "As Intendant (or Warden) of the village of Rock Hill, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars for the use of the said village: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as an Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, (three Managers for each Board,) to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

A. D. 1872.

Oath of office.

Managers.

SEC. 4. That, in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Vacancies.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices, (or Justices of the Peace, as the case may be,) in this State, within the limits of said village, except for the trial of small and mean cases; and the Intendant shall and may, as often as is necessary, summon the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Rock Hill; and they and their successors in office, hereafter to be elected, may have a common seal, which shall be affixed to all of their ordinances; may sue and be sued, plead and be impleaded in any Court of Justice in this State; and purchase, hold, possess and enjoy to them, in perpetuity, or for any term of years, any estate, real or personal, or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars; and the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many proper persons to act as Marshals or Constables of said village, as said Council may deem necessary and expedient for the preservation of the peace, good order and police

Judicial powers.

Rights and privileges.

A. D. 1872.

Marshals—
their powers
and duties.Police regu-
lations.Attendance
of witnesses.

Fines.

thereof, which persons, so appointed, shall, within the corporate limits of said village, have the power and privileges, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable; and shall be liable to be removed at the pleasure of said Town Council; and the said Town Council shall have power to establish, or authorize the establishment of, a market house in said village; also, to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and the said Town Council, or the said Intendant and Wardens, in person, any one or more of them, may authorize and require any Marshal of the town, or any Constable especially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal or Constable to arrest and commit all such offenders, when required to do so; and who shall have power to call to their assistance the *posse comitalis*, if need be, to aid in making such arrests; and upon the failure of such officers to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may impose upon them; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules, and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she or they may have committed; and the said Town Council shall have full power and authority, under their corporate seal, to make all such rules and regulations, by-laws and ordinances, respecting the streets, roads and business thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience of the inhabitants of said town, and for preserving health, order and good government within the said town; and the said Town Council may impose fines for offenses against their by-laws, rules, regulations and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power that Trial Justices or Justices of the Peace now have, or may hereafter have, to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person or persons for a violation of any of their ordinances, by-laws,

rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of justice in this State, and, also, that nothing herein contained shall authorize said Council to make any ordinance or by-law inconsistent with or repugnant to the laws of the State.

A. D. 1872.

SEC. 6. That said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges and streets within the corporate limits of said town open and in good repair, and for that purpose they are invested with all the powers of County Commissioners, for and within the corporate limits of the said town; and they may lay out new streets, close up, alter or widen those now in use; and shall have full power to classify and arrange the inhabitants or citizens of said town liable to street, road or public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law; and they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations may require; the money so received to be applied to the public use of said town; and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding ten dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine in the same manner as is now, or may be hereafter, provided for the collection of County taxes. And the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways, within the said town, as they may deem necessary, by the sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said town; and they shall keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners thereof, through whose premises any such new street, road or way may pass.

Nuisances.

New streets.

Street duty

SEC. 7. The said Town Council may have power and authority to require all persons owning a lot or lots in said town to close in, and to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the said Town Council; and, for de-

Sidewalks.

A. D. 1872.

fault or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to close such lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making and repairing is let to the lowest bidder. The cemeteries and public grave yards are also placed under the jurisdiction of the said Town Council.

Licenses.

SEC. 8. The Intendant and Wardens of the said town, or a majority of them, shall have full power to grant or refuse license to keep taverns or to retail spirituous liquors within the corporate limits of the said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be less than the amount that is established by the State; and all moneys paid for licenses and for fines and forfeitures shall be appropriated for the public use of the said town: *Provided*, That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or to retail spirituous liquors to extend beyond the term for which they have been elected. They shall have power to regulate sales at auc-

Sales at auction.

tion within the corporate limits of said town, and to grant licenses to auctioneers, itinerant traders, to keepers of hotels and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares or mules, kept for hire or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the corporate limits of the said town. They shall have the power to impose a tax, not exceeding twenty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town, real and personal property of churches and school and college associations excepted. That an ordinance declaring the rates of the annual taxation upon property and other subjects of annual taxation for the year, shall be published at least three weeks, during the month of January in each year:

Exhibitions.

Annual taxation.

Provided, That the said Town Council shall have power to levy a tax for this year, under the same rule as is above stated, immediately after the passage of this Act; and that all persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do, during the succeeding month after publication; and, upon the failure to make such return and payment

as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County tax, to be enforced by the orders of the Intendant and Wardens, or a majority of them, for the use of the said town, except in such cases that executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Town Marshal, or other person appointed by the Town Council, to levy, collect and receive the same, with costs, as in such cases made and provided by law: and all property upon which such tax shall be levied and assessed is hereby declared and made liable for payment thereof, in preference to all other debts, except debts due to the State, which shall be first paid; and that all other taxes imposed by the Intendant and Wardens, or a majority of them, shall be liable for the same, as in manner and form just before stated.

A. D. 1872.

Executions.

SEC. 9. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term, which account shall be published in one or more papers of the town, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors; and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council.

Final settlement.

SEC. 10. That all ordinances or by-laws passed by the Town Council of Rock Hill shall be binding upon the citizens of said town, the same as the laws of the State.

SEC. 11. All Acts or parts of Acts inconsistent or supplied by this Act be, and the same are hereby, repealed.

SEC. 12. This Act shall be deemed a public Act, and continue in force for the term of fourteen years, and until the end of the Legislature thereafter.

Approved March 4, 1872.

AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NEWBERRY TO ERECT A MARKET HOUSE ON A LOT OF LAND BELONGING TO THE COUNTY OF NEWBERRY.

No. 76.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D 1872.

Market
house.

and by the authority of the same, That the Town Council of the town of Newberry are hereby authorized and empowered to erect a Market House in said town, upon a lot of land which is partly attached to and lying near the public square in said town, and belonging to the County of Newberry; which lot shall be given for such purpose to said Town Council, and their successors in office, free of rent or charge. And said Town Council, and their successors in office, shall have power and authority to remove such Market House whenever, in their opinion, the same may be deemed necessary and expedient.

Approved March 4, 1872.

No. 77. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH QUARANTINE AT GEORGETOWN, CHARLESTON AND HILTON HEAD."

Repealing
clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 1 of an Act entitled "An Act to establish quarantine at Georgetown, Charleston and Hilton Head," approved the 26th day of September, A. D. 1868, as provides that the anchorage ground for vessels in quarantine, Port of Hilton Head, shall be where it has heretofore been, is hereby repealed.

Anchorage—
where located
and how de-
signated.

SEC. 2. That said anchorage shall be, and the same is hereby, located at some point on the north side of Parris Island, to be designated by buoys, anchored under the direction of the Health Officers of that port.

Quarantine
station es-
tablished at St
Helena SoundHealth Offi-
cer.

SEC. 3. That a quarantine station shall be established at Saint Helena Sound, (covering the sound and adjacent rivers,) with anchorage ground for vessels where it has heretofore been, and that a Health Officer for said station shall be appointed by the Governor, who shall hold his office for a term of two years, unless sooner removed, with the same compensation now allowed the Health Officers of Georgetown and Hilton Head.

Penalty for
transporting
persons af-
fected with
contagious
disease to any
city or town.

SEC. 4. If any person or persons employed upon any vessel, rail-road, express, or other conveyance, shall receive and convey any person affected with any contagious or infectious disease, or shall receive and transport any dead body to any of the cities or towns located upon the coast of this State, without permission from the Health Officer of the port of Charleston, between the first day of

April and the first day of December, such person or persons shall be deemed guilty of a misdemeanor; and, upon conviction, shall be punished by a fine not exceeding one thousand dollars, or imprisonment for a term not exceeding one year.

A. D. 1872.

SEC. 5. All permits issued by Health Officer shall be at the expense of the vessel or conveyance to which such permits may be issued, and shall be collected by the Health Officer issuing the same.

Permits—at
whose ex-
pense.

SEC. 6. That so much of Section 29 as requires the Health Officers of Georgetown and Hilton Head to report their doings to the Governor, at the end of each month, is hereby repealed; and that the said officers, together with any and all other Health Officers who may be appointed subsequent to the passage of this Act, shall report the same, at the end of each month, to the Health Officer of the port of Charleston, whose duty it shall be to forward a consolidated report of the doings of such officers to the Governor of the State monthly and the Legislature annually.

Report of
Health Offi-
cers.

Approved March 4, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND
THE LIMITS OF THE TOWN OF CAMDEN."

No. 78.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to extend the limits of the town of Camden," approved March 9, 1871, be, and the same is hereby, amended by striking out Section 1, and substituting the following:

"That the limits of the town of Camden be, and the same are hereby, extended as follows, to wit: The western boundary shall commence at the junction of Wylie street with Mulberry street, and shall extend northward, along the line of said Wylie street, three-fourths of a mile beyond the present terminus of said street, and from this point the northern boundary shall extend in an eastern direction until it intersects Horse Branch, and thence, by course of said stream, to the point where it empties into Little Pine Tree Creek, and by the course of said creek, in a southern direction, to the confluence of said creek into Pine Tree Creek, and thence, by the course of the last named creek, to a point opposite Mulberry street, thence westward until it reaches said street, and continue along the line of said street to its junction with Wylie street."

Limits of
town extend-
ed.

A. D. 1872.

Intendant
and Wardens
to designate
boundaries.

SEC. 2. That the Intendant and Wardens of the town of Camden are hereby required to proceed, immediately upon the passage of this Act, to designate, by proper marks and monuments, the boundaries hereinbefore authorized.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 4, 1872.

NO. 79. AN ACT TO INCORPORATE THE TOWN OF MULLINS, IN MARION COUNTY, STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Mullins, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Mullins, and its corporate limits shall extend half a mile north, one-quarter of a mile east and west, and one-third of a mile south, from a stake which shall be in the centre or square of said town.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected within thirty days after the passage of this Act, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place, in the said town, from nine o'clock in the morning until four o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. The Managers, in each case, shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant

and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Mullins, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January, ensuing, and until their successors shall be elected and qualified.

A. D. 1872.

Oath of office.

SEC. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held, by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of the number to act as Intendant during the time.

Vacancies—how filled.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the jurisdiction of Magistrates or Trial Justices within the limits of said town, and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Mullins, and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons, so appointed, shall, within the corporate limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish, or authorize the establishment of, the market house, as also of a guard house in said town. And the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, public buildings, and the business thereof, and the police system of said town, as shall appear to them necessary and proper for security, welfare and convenience, and for preserving health, order and good govern-

Judicial powers.

Marshals—their powers and duties.

Rules and by-laws.

A. D. 1872

Attendance
of witnesses.

ment within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Town Council shall have the same power which Magistrates or Trial Justices now have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for a violation of any of their by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in the Court of Common Pleas; and all the by-laws, rules and ordinances the said Town Council may make, shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Nuisances.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall also be their duty to keep all roads, ways and streets within the corporate limits of the said town open and in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town, liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms, and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the inhabitants of said town are hereby exempt from road and public duty without the corporate limits of said town.

Commuta-
tion.

Sidewalks.

SEC. 7. That said Town Council of Mullins shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the Town Council; and for default or refusal, after reasonable notice, to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making and repairing: *Provided*, That such contracts for making or repairing be let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of said Town Council.

Graveyards,
&c.

Licenses.

SEC. 8. That the power to grant or refuse licenses to keep tavern or retail spirituous liquors within the limits of the said corporation be, and the same are hereby, vested in the Town Council of Mul-

lins. And the said Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Council may deem best and proper: *Provided*, That in no instance shall the price of a license to keep tavern or to retail spirituous liquors be fixed at a less sum than is established by the Laws of the State; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping tavern and billiard tables within the limits without licenses, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected; and the said Intendant and Wardens shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the limits.

A. D. 1872.

Proviso.

Exhibitions.

SEC. 9. That the said Town Council of Mullins shall have power to arrest and commit to jail, and to fine, not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof; and it shall be the duty of the Marshal or Constable of the town to make such arrest, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars for each and every offense.

Power to arrest and commit.

SEC. 10. The Town Council shall also have power to impose an annual tax, not exceeding twenty cents on every hundred dollars of the assessed value of real and personal estate lying within the corporate limits of said town, the real and personal estate of school associations excepted. The said Council shall have power to enforce the payment of all taxes levied under authority of this Act, against the property and person of all defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general taxes, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof, in preference to all other debts against said property, except debts due to the State, which shall be first paid.

Annual taxation.

Executions—how enforced.

SEC. 11. The Clerk of the said Town Council shall, annually, make out an assessment from the books of the County Auditor or Treasurer of all real and personal property in the limits of said town for taxation, and shall make return of said assessment to the Intendant and Wardens within one month from the time of his appointment.

Annual assessment.

A. D. 1872.

Publication
of rate of an-
nual taxation.

SEC. 12. That an ordinance declaring the rate of annual taxation upon property, and other subjects of annual taxation for the year, shall be published at least twice during the month of November in each year, and the citizens of said town shall make payment of their tax to the Clerk and Treasurer (hereinafter constituted) of the said corporation during the succeeding month of December.

Clerk — his
powers and
duties.

SEC. 13. The Intendant and Wardens shall have power to elect or appoint a Clerk, who shall also be Treasurer, whose duty it shall be to attend all meetings of the Council, and make a record, in a book kept for that purpose, of all the proceedings thereof; to take charge of all papers belonging to the Council, and to lodge with the proper officers all summons, executions, etc., and receive returns, to keep a regular account of all receipts and disbursements, which accounts shall, at all times, be accessible to the Intendant and Wardens; and it shall be his duty to make an official semi-annual report to the Council of the state of his accounts, at which time the doors of the Council room shall be open to all the citizens of said town; and which reports shall be regularly entered in a book kept for that purpose. He shall attend to the publication of all ordinances and other documents ordered by Council to be published. He shall hold his office for such term as Council may prescribe, not, however, exceeding one year, and shall receive such compensation for his services as Council may enact: *Provided*, That he may be removed from his office at the pleasure of the said Town Council; and, before entering upon the duties of his office, he shall give bond, in the penal sum of five hundred dollars, for the faithful discharge of the same.

Removable
at pleasure.

Final settle-
ment.

SEC. 14. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and papers incidental to their office to their successors; and, on failure to do so, they shall be liable to be fined in a sum not exceeding one hundred dollars, to be collected in any proper action by the Town Council.

New streets.

SEC. 15. That said Town Council shall have power to lay out and arrange all streets and roads within said corporate limits, as the public good may require: *Provided*, The land of no party or parties shall be taken or appropriated for such purposes without compensation, as now required by the law for condemned lands.

Tax for 1872.

SEC. 16. That the Town Council shall have power to levy a town tax on all assessed property within the limits of said town for the

year 1872, immediately after the passage of this Act, and proceed to collect the tax thereon the following month.

A. D. 1872.

Approved March 4, 1872.

AN ACT TO INCORPORATE THE CHARLESTON JOINT STOCK COMPANY, OF THE STATE OF SOUTH CAROLINA, FOR THE BENEFIT OF THE STATE ORPHAN ASYLUM.

No. 80.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. W. Rouse, A. A. Aspinwall, Robert Smalls, Joseph Brown, Thomas B. King, John L. Little, Charles W. Sumner, David Green, Lewis Wilson, Jesse Bowsher, Stephen J. Maxwell, Lucius Wimbush, Thomas H. Blackwell, O. R. Levy, Chapman B. Thomas, James W. Elmore, Y. Sands, John Douglass, Benjamin Simons, James Gregory, and such other persons as may now, or hereafter, be associated with them, are hereby made and declared to be a body politic and corporate, under the name and style of the Charleston Joint Stock Company, of the State of South Carolina, or such other name as they may now or hereafter assume.

Corporators.

Corporate title.

SEC. 2. That all the rights of corporations, known as banks, be, and the same are hereby, vested in said company, for the purpose of loaning out money on interest, purchasing and mortgaging real estate, buying personal property, and they shall have the same rights and privileges now enjoyed by the banking institutions of this State; they shall, also, have the right to dispose of any and all property, such as real estate and personal or mixed, that they may become possessed of, in any manner, and on such conditions as the said company may see fit and proper to the advantage of said company, and to promote the interest of the said Orphan Asylum.

Powers, privileges and immunities.

SEC. 3. That, before commencing business under the provisions of this Act, the said Company shall pay, or cause to be paid into the hands of the State Treasurer, the sum of two thousand (2,000) dollars, to be used for the benefit of the State Orphan Asylum of South Carolina, and, annually thereafter, a like amount for the term of ten years, or so long as the said company shall choose to continue to do business, it being understood and agreed that said payment of two thousand dollars per annum by said company is the consideration upon which the privileges of incorporation herein is granted; and whenever said company shall fail to pay said consideration, then their rights to transact business shall cease.

License fee for benefit of Orphan Asylum.

A. D. 1872.

Agencies.

SEC. 4. That this company, incorporated and established by this Act, shall have full power, and are hereby authorized, to establish agencies throughout the State.

SEC. 5. That this Act shall be of force immediately on and after its passage.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., March 5, 1872.

This Act, having been presented to the Governor of this State for his approval, and not having been returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

F. L. CARDOZO,

Secretary of State.

No. 81. AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN INSPECTOR OF PHOSPHATES, AND TO DECLARE HIS DUTIES.

Inspector of
Phosphates.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a competent person to the office of Inspector of Phosphates, who shall reside and have his office in the city of Charleston, and shall hold his office for two years.

Monthly Re-
ports to be
made to In-
spector.

SEC. 2. That it shall be the duty of all companies or individuals who are, or may be, authorized by law to dig, mine or excavate such phosphate rocks and phosphatic deposits from the beds of the navigable waters or streams within the jurisdiction of the State, to report to the Inspector of Phosphates, monthly, the quantity of such rock and deposit dug, mined and excavated, and whether the same be on hand, awaiting removal, or if it has been moved, or is being moved, to furnish a copy of the bill or bills of lading, which reports shall be verified by the oath of the person making the same. And it shall be the duty of all captains of vessels and railroad officials to furnish to the Inspector of Phosphates duplicates of all bills of lading of all cargoes of such rock and deposit with which their vessels or cars may be freighted, for export from this

State, or for transportation within this State. And, to the end that the said Inspector of Phosphates may be enabled to verify the reports of the quantity of such rocks and deposits which have been, or may be, dug, mined, excavated and removed, he shall, at all times, have and be allowed free and uninterrupted access to all places where such rocks and deposits are dug, mined or excavated, and to all warehouses, or open or enclosed places where such rocks and deposits are stored, and to all vessels, railroad cars, or conveyances in or by which such rocks and deposits are being removed.

A. D. 1872.

Inspector
allowed free
access to all
warehouses,
&c.

SEC. 3. That the said Inspector of Phosphates shall report to the Auditor of the State, monthly, the amount of phosphatic rock and phosphatic deposits which he shall ascertain to have been dug, mined, excavated or removed from the navigable streams or waters of this State, by what company or persons the same was dug, mined and excavated, by what vessel or other mode of transportation the same was removed, with such other particulars as may enable the State Auditor correctly to ascertain whether the amounts due to the State therefor have been paid, and, if not, who is accountable for the same.

Inspector to
report monthly
to State
Auditor.

SEC. 4. That hereafter it shall not be lawful to sell in this State, or to expose to sale, any guano or other commercial fertilizers, whether the same have been manufactured in this State or elsewhere, unless the same shall have been first examined, inspected, analyzed and marked by the Inspector of Phosphates. And it shall be the duty of all persons bringing into this State, for sale, any guanos or fertilizers, or manufacturing in this State, for sale, any such fertilizers, to furnish to the Inspector of Phosphates a formula representing the average contents of each fifty tons of the same, and to cause the same, or as many packages thereof as may be necessary to make a correct average sample of the whole, to be examined and inspected. And it shall be the duty of the Inspector to examine and analyze all such samples of guanos, and other fertilizers, and if found to agree with the formula thereof required to be furnished, as above, and as published to the public, to mark or brand each package thereof; but if the same, upon analysis, shall not conform to the formula so furnished and published, the Inspector shall not brand or mark the same, and it shall be unlawful for the holder, or owner thereof, to sell the same.

No ferti-
zers to be sold
unless in-
spected, ana-
lyzed and
marked.

Samples.

Each pack-
age to be
marked.

SEC. 5. That, to carry into effect the purposes of the foregoing Section of this Act, the Inspector of Phosphates shall, at all times, have, and be allowed, free and uninterrupted access to all vessels, cars, warehouses, manufactories and storehouses where such fertilizers are, or are supposed to be, and to take samples thereof. And it shall be the duty of all captains of vessels, or other carriers, or

Free access
to all vessels,
&c.

A. D. 1872.

persons bringing such fertilizers into the State, to report the same to the Inspector of Phosphates immediately upon arrival; and it shall be the duty of all manufacturers of such fertilizers in this State to report to the said Inspector all quantities manufactured for sale.

Penalty for
counterfeiting
brand of
Inspector.

SEC. 6. That any person who shall counterfeit the brand of said Inspector, or shall repack any package previously marked or branded by said Inspector, shall, on conviction thereof, be fined for each and every offense the sum of one hundred dollars.

Appointment
of deputies.

SEC. 7. That in case of the sickness or temporary absence of the Inspector, or if the convenient dispatch of the duties of his office shall require the same, the said Inspector is hereby authorized to appoint a deputy, one or more.

Fees of In-
spector.

SEC. 8. That for his compensation for the inspection and branding of fertilizers, the said Inspector shall be entitled to charge twenty-five cents for each ton so inspected and branded, the same to be paid by the owner, agent or manufacturer, and which shall be collectable of and from the person having the same in charge; and for his compensation for the examination of the phosphatic rock and phosphatic deposit dug, mined, excavated and removed from the beds of the navigable waters and streams of the State, he shall be paid, from the State Treasury, seven and a half cents per centum on all amounts paid to the State as royalty for the privilege of so digging, mining, excavating and removing such rocks and deposits. And the said Inspector is hereby authorized to require conformity with all regulations which shall be by him made, with the approval of the State Auditor, and which shall be reasonable and proper to enable the said Inspector to carry out the purposes of this Act, and should the office of State Auditor be abolished, the duties herein required of him, and the reports required to be made to him, shall be exercised by, and the reports be made to, the Comptroller General.

Inspector to
make certain
rules, &c.

Penalty.

SEC. 9. That any person or company, who shall violate the provisions of this Act, shall, upon conviction, be liable to the same penalty as provided in Section 10 of this Act.

Inspector or to
give bond.

SEC. 10. That said Inspector of Phosphates shall, before entering upon the duties of his office, furnish a bond, in good and sufficient sureties, in the penal sum of ten thousand dollars, for the faithful performance of his duties; and if the Inspector of Phosphates, or his Deputies, or any of them, shall be guilty of fraud, or shall neglect or refuse to perform the duties of their office, they shall be liable to a fine of not less than one hundred dollars, nor more than ten thousand, and to imprisonment for the term of not less than three months, nor more than five years, one or both, within the discretion of the Court.

Penalty for
neglect of
duty.

SEC. 11. All Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

A. D. 1872.

Approved March 6, 1872.

AN ACT TO INCORPORATE THE ANDERSON FARMERS' AND MECHANICS' ASSOCIATION. No. 82.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. F. Crayton, J. W. Norris, D. M. Watson, W. J. Ligon, B. F. Whitner and W. W. Humphries, and their successors in office and associates, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Anderson Farmers' and Mechanics' Association."

Corporators.

Corporate name.

SEC. 2. That the said corporation, by its corporate name aforesaid, shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for its government and direction; shall have power to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in the Courts of the State; to purchase, hold and enjoy any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the objects of said association, and the same to alien and convey at pleasure.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW COURT HOUSE IN AND FOR THE COUNTY OF RICHLAND. No. 83.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County are hereby directed, authorized and empowered to sell and convey the whole of that lot in the city

County Commissioners authorized to sell a certain lot.

A. D. 1872.

Price of lot
per foot fixed.Disposition
of surplus
money.One-half of
surplus only
to be drawn
before com-
pletion.Purchase of
site for new
Court House.Authorized
to erect a new
Court House;Contract by
whom ap-
proved.

of Columbia, on the corner of Richardson and Washington streets, whereon was formerly situated the Court House of said County. The said sale to be made at public outcry, to the highest bidder, at such time or times, on such terms, and in such parcels, as the said Commissioners shall think proper, after advertisement thereof for at least thirty days: *Provided*, Said lot shall not be sold for less than one hundred (100) dollars per foot; said measurement to be made on the streets bounding the same, and that all the proceeds, over and above the amount of purchase of a new site, shall be deposited in the Treasury of the County, and shall be drawn out on the warrant of the Commissioners: *Provided*, That not more than one-half of the above deposit shall be drawn or paid until the Court House is completed, and received by the County Commissioners as being completed according to contract.

SEC. 2. That the said Commissioners are further directed, authorized and empowered to purchase or accept a suitable site for a new Court House, in the city of Columbia, and to take the titles therefor, executed to the State of South Carolina, to and for the use of said County.

SEC. 3. That the said Commissioners are further directed, authorized and empowered to build and erect a new Court House upon the site selected, as provided in Section 2 of this Act; and that the contract for the erection of such building shall not be binding or valid until approved by the Circuit Judge of the Fifth Judicial Circuit, and the Clerk of the Court of Common Pleas for Richland County.

Approved March 9, 1872.

NO. 84. AN ACT TO CHARTER THE RALEIGH, COLUMBIA AND AUGUSTA AIR-LINE RAILROAD COMPANY.

Purpose of
corporation.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of building and establishing an air-line railroad from some point near the city of Augusta, Georgia, within the limits of this State, by way of the city of Columbia, Chesterfield, Cheraw and Marlboro, to some point on the dividing line between this State and the State of North Carolina, to be determined by the incorporators hereinafter named, that a charter, with the rights and privileges incidental to the same, be, and is hereby, granted to, and vested in,

Charles Adams, John Smith, Thomas Steers, August Brennicke, John T. Lee, Edward Allen, Phillip Heller, M. D. Stone, Lewis Wilson, I. T. Owens, R. L. Jones, Thomas Sands, James Harvey, M. B. Allen, Amos Miles, David J. Hanks, and their associates or assigns; and when a company shall be formed, in compliance with the conditions herein prescribed, it shall be known by the name of the Raleigh, Columbia and Augusta Air-Line Railroad Company, and shall have a corporate existence as a body politic in perpetuity.

A. D. 1872.

Corporate
name.

Capital stock.

SEC. 2. That the capital stock of said company shall be two million dollars, in shares of twenty dollars each; and, in order to raise the said capital stock, it shall be lawful to open books of subscription in such places and at such times as may be deemed for the best interests of the corporation, under the direction of the corporators; the time and places for receiving such subscriptions to be determined by a majority of the corporators; but should such a majority fail to fix such times and places, then such times and places may be fixed by any four of the corporators hereinbefore named, having given due notice of the same in any newspaper or newspapers of the State; and the subscription books shall be kept open for twenty days from such times and at such places as said corporators may determine; that on each share of stock subscribed the said subscribers shall pay two dollars to the corporators, who shall deposit the same in some National or State bank. When one hundred thousand dollars shall have been subscribed, the said corporators, or any four of them, shall give notice, by publication for at least ten days, of the time and place of meeting for organization.

Books of
subscription.Notice of
meeting and
organization.

SEC. 3. Whenever the said sum of one hundred thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company: *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes: *And provided, further,* That this Act shall not be construed so as to bind the State to endorse, guarantee or aid said road.

Invested with
rights, &c.,
conferred
upon the
Northeastern
Railroad Co.

SEC. 4. That the said company shall have the right to build bridges across navigable rivers: *Provided,* They shall put in good and sufficient draws, and shall construct necessary stations and turn-outs, with one or more tracks to the road, with such gauge as said company shall determine, and with full power to construct such branches, and make such connections with other roads, as they may determine, at their discretion: *Provided,* That the said road shall be commenced within three years, and completed within ten years after the passage of this Act, or the charter thereof shall be

Empowered
to build
bridges, &c.Time for com-
mencing and
completing
road limited.

A. D. 1872

forfeited: *And provided, further,* That the said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement," ratified September 22, 1868.

SEC. 5. This Act shall be deemed a public Act, and continue in force for ninety-nine years.

Approved March 9, 1872.

No. 85. AN ACT TO INCORPORATE THE CAROLINA LIGHT INFANTRY.
OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. C. Minott, J. A. Williams, Robert Howard, Jr., and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Carolina Light Infantry, of Charleston."

Corporate name.
Powers and privileges.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be in any manner whatsoever acquired by the said corporation: *Provided,* The amount so held shall not exceed the sum of ten thousand dollars.

SEC. 3. That this Act shall continue in force for the space of twenty years; and the same shall be taken and deemed a public Act.

Approved March 9, 1872.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LANCASTER.

A. D. 1772.

No. 86.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the Town of Lancaster, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Lancaster, and its corporate limits shall extend one mile in each direction from the court house in said town.

Corporators.

Corporate limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in April, in every year, ten days' public notice thereof being previously given, and that all male inhabitants twenty-one (21) years of age, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Electors.

SEC. 3. That the election for Intendant and Wardens of said town shall be held in the court house, or some other place convenient, in the said town, from eight o'clock in the morning until five o'clock in the afternoon; and, when the polls shall be closed, the Managers shall forthwith count the votes, and proclaim the election, and give notice, in writing, to the persons elected. The Chairman of the Board of County Commissioners shall appoint three Managers to hold the ensuing and every subsequent election. The Managers, in each case, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same. And the Intendant and Wardens, before entering on the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Lancaster, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and to carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the first Monday in April ensuing, and until their successors shall be elected and qualified.

Election.

Managers.

Oath of office.

SEC. 4. That the said Town Council of Lancaster shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty (20) dollars, any

Power to arrest and commit to jail.

A. D. 1872. { person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof.

SEC. 5. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

No. 8. AN ACT TO INCORPORATE THE JOURNEYMEN MECHANICS' UNION,
OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Byrnes, W. H. Berney, J. W. Miller, G. M. Magrath, J. P. Howard, Isaac Reed, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared to be a body politic and corporate, by the name and style of the Journeymen Mechanics' Union, of Charleston.

Corporators.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court in this State. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess, or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by it, and to sell, alien or transfer the same.

Powers and privileges.

SEC. 3. That this Act shall be a public Act, and continue in force for the term of twelve years from the date of its ratification.

Approved March 9, 1872.

No. 88. AN ACT TO INCORPORATE THE DEUTSCHER BRUDERLICHER
BUND, OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. Werner, J. H. Linsebrink, J. C. H. Claussen, A. Nimitz, J. H. Heeseman and C. G. Ducker, and their associates and successors, be, and they are

Corporators.

A. D. 1872.

Title.

Powers and
privileges.Investment
of funds.Liability of
members.

hereby, created a body politic and corporate, under the name and style of the "Deutscher Bruderlicher Bund," of the city of Charleston.

SEC. 2. That the said corporation hereby established shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be acquired by purchase, or in any other manner, by said corporation.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property which it may acquire in such real or personal property, stocks, public or private, notes, bills, bonds, with or without security by mortgage of real or personal property, or by surety, in such sums, and on such terms and conditions, as it may deem proper. And it shall and may be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer any or all of its property, real and personal, as, and when, it may deem proper and expedient; and to make and execute bonds, under the corporate seal, with or without mortgage, for the purchase of real or personal property.

SEC. 4. That the members of said society hereby incorporated shall be, individually, liable for the debts of said corporation, each member to the extent of one year's annual arrears, which the said member may owe to the corporation, according to its by-laws, in the year in which he may be sued for said corporation debt; but such liability shall not attach until the corporation shall have been sued, and *nulla bona* returned on execution, in such suit.

SEC. 5. That this Act shall be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE BEAUFORT MANUFACTURING
AND IMPROVEMENT COMPANY.

No. 89.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alfred

A. D. 1872.

Corporators.

Name and
objects of cor-
poration.

Williams, Robert Smalls, W. J. Whipper, J. Douglass Robertson, David Thomas, N. B. Myers, Francis E. Wilder, James M. Crofut, George Holmes, H. J. Maxwell and J. B. Bascomb, and their associates and successors, are hereby made and declared a body politic and corporate in law, under the name and style of the "Beaufort Manufacturing and Improvement Company," for the purpose of extracting and manufacturing oil from cotton seed, and other seeds or grain, and for the purpose of carrying on such other business connected therewith, with a capital of one hundred thousand dollars, to be divided into one thousand shares, of one hundred dollars each.

Capital stock.

Affidavit to
be filed in Sec-
retary of
State's office.

SEC. 2. The said company shall have power, from time to time, to increase their capital stock to any amount not exceeding two hundred and fifty thousand dollars, including their present capital stock, whenever a majority of the stockholders present, at any general meeting, shall determine. Books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the company may deem expedient; and, whenever any increase of capital shall be made as aforesaid, the President of the company shall make affidavit of the fact, and file the same in the office of the Secretary of State, and make public notice thereof, once a week for three weeks consecutively, in any newspaper published in the town of Beaufort, which shall be legal notice to all persons dealing with said corporation.

May build
wharves and
collect wharf-
age.

SEC. 3. That the said company be, and is hereby, authorized to build a wharf or wharves in front of any property owned by said company, or which they may hereafter become possessed of in the County of Beaufort, and to collect wharfage on the same, and to use, sell or lease the said wharf or wharves for the use and benefit of said company, subject to any laws now existing, or hereafter to be enacted, in relation to said property.

Invested with
rights, &c.,
granted to En-
terprise Rail-
road Co.

SEC. 4. That, for the purpose of carrying the products of their manufacture to or from any railroad or place of shipment upon the island of Port Royal, the said company is hereby vested with all the rights and powers, privileges and franchises granted to the Enterprise Railroad Company, of Charleston, by the Act of the General Assembly of the State of South Carolina, incorporating said company, approved March first, eighteen hundred and seventy, and March ninth, eighteen hundred and seventy-one: *Provided*, That the line of said road, so far as it affects the town of Beaufort, shall be fixed and established by the Intendant and Council thereof.

Corporate
rights and
privileges.

SEC. 5. That the said company shall have succession of officers and members, to be chosen according to the rules and by-laws made, and to be made, for their government and direction, and

shall have power and authority to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law and equity; to purchase and hold any lands, tenements or hereditaments, goods or chattels, which may be necessary, connected with, or conducive to, the purposes for which said company is established.

A. D. 1872.

When said
corporation
may com-
mence opera-
tions.

Oath to be
recorded in
Secretary of
State's office.

SEC. 6. The said corporation shall not go into operation until thirty thousand dollars of the capital stock shall be paid, in gold or silver, or United States Treasury notes; and an oath or affirmation of the payment thereof shall be made by the President, Treasurer and a majority of the Board of Directors, which shall be recorded in the Secretary of State's office, and published in any newspaper in the town of Beaufort, or as near the establishment as circumstances will admit.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE CHARLESTON HOOK AND LADDER COMPANY, No. 3.

No. 90.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. T. Elfe, Wm. E. Burke, B. F. Morris, A. V. Brodie and J. Grant, their associates and successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Charleston Hook and Ladder Company, No. 3; with a capital stock not exceeding ten thousand (10,000) dollars; with the right to sue and be sued, to plead and be impleaded in any Court of competent jurisdiction, to have and use a common seal, and the same to alter at will; and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

Corporators.

Corporate
name.Powers and
privileges.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved March 9, 1872.

A. D. 1872.

No. 91.

AN ACT TO INCORPORATE THE RED BANK MANUFACTURING COMPANY, OF LEXINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frederick W. Green, John Green, John P. Southern, Clark Waring and W. C. Swaffield, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Red Bank Manufacturing Company," for the purpose of manufacturing cotton yarns and cloth, and such other fabrics as the demand of the community may require, and also for the transaction of all such business as may be connected with the above purposes, with a capital of thirty thousand dollars, with power to increase it to one hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained.

Powers and privileges.

SEC. 2. The said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debts due them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary, and may sue and be sued, have and use a common seal, and may make such by-laws for the regulation and government of said corporation, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary; and shall have, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

SEC. 3. That this Act shall be a public Act, and shall continue of force for the term of twenty-five years.

Approved March 9, 1872.

No. 92. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF PICKENS."

Establishment of a guard house.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Pickens," approved in the year 1869, be amended as follows: That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing

the same, and confine therein any or all persons who may be subject to be committed for violation of any ordinance of the town, passed in conformity to the Act hereby amended. And the said Town Council may, by ordinance, or the said Intendant and Wardens, in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest or commit to said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the Marshals and Constables to arrest and commit any such offenders, when required to do so, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon the failure of the Town Marshal to perform such duty, if required, they shall, severally, be subject to such fine and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense for which he may have been committed.

A. D. 1872.

Police regulations.

Fines and penalties.

SEC. 2. That all the fines which shall hereafter be collected for retailing, without license, within the corporate limits of the said town, shall be paid one-half to the informer and the other half to the Council, for the use of the said town.

Disposition of fines.

SEC. 3. All Acts or parts of Acts inconsistent hereto be, and the same are hereby, repealed.

Approved March 9, 1872.

AN ACT TO CHARTER THE LITTLE RIVER AND CHERAW RAILROAD COMPANY.

No. 93.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a railroad from Little River to Cheraw, a charter, with all the rights and privileges incidental to the same, be, and is

A. D. 1872.
 hereby, granted to Thos. C. Dunn, L. D. Bryan, J. T. Walsh, Joel Allen, J. E. Dusenbury, F. A. Kehew, John Douglas, Wm. F. Johnson, C. P. Townsend, J. W. Thomas, Abel Quick, F. A. Miles, C. J. Stuart, Samuel Jackson, Jacob Allman, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Little River and Cheraw Railroad Company.

Corporate name.

Route.

SEC. 2. That the said company is hereby authorized to construct a railroad from Little River to Cheraw, by such route as shall be found most suitable and advantageous, and crossing the Counties of Marion and Marlboro, between the Great and Little Peedee Rivers.

Capital stock.

Books of subscription.

Subscriptions may be made in land.

Issue of bonds.

Subject to provisions of Act of September, 1868.

SEC. 3. That the capital stock of said company shall be one and a half million dollars, with the privilege of increasing it to two and a half millions of dollars if found necessary, to be divided into shares of fifty dollars each; and, for the purpose of raising such capital stock, it shall be lawful to open books of subscription, at such times and places, and to keep them open for such periods of time, and under the direction of such persons as may be determined on by a majority of said company. That subscriptions to said capital stock may be made in land, at a rate per acre to be agreed upon at the time of subscription; and that each and every person subscribing land shall execute a deed to the said company, and that all amounts subscribed, either in land or money, shall constitute the joint stock capital, for the purpose of constructing and carrying into operation the railroad provided for by this Act; and the said railroad company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient.

SEC. 4. That the said railroad shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways, and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 9, 1872.

AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN DEBTS
BY THE COUNTY OF AIKEN.

A. D. 1872.

No. 94.

Preamble.

Whereas, by an Act approved March 10th, 1871, a new judicial County, by the name of Aiken, was formed of portions of Barnwell, Edgefield, Lexington and Orangeburg; and, whereas, the said named Counties, at the time the Act to establish said County of Aiken was passed, were, and still are, in debt; and, whereas, it is but fair and just that the said County of Aiken should assume her proportion of the debts of the various Counties from which it has been created; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That of the outstanding debts of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, of portions of which the said County of Aiken has been created, that the said County of Aiken is hereby made liable for her proportion, in ratio to the taxable property, as taken from each of the above specified Counties.

County of
Aiken made
liable for cer-
tain debts.

SEC. 2. That, in order to carry out the provisions of the preceding Section, it shall be, and hereby is, made the duty of the County Commissioners of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to make out a certified statement of the indebtedness of their respective Counties, and forward the same (after the complete organization of said County of Aiken) to the County Auditor, or any other officer who may discharge the duties of said office, who shall, in proportion and proper ratio, to carry out the provisions of this Act, cause an annual assessment of one thousand dollars to be made on all the taxable property within the said new County of Aiken, to be used only for the payment and for the purposes herein mentioned.

County
Auditor to
make annual
assessments
of \$1,000, to
pay said
debts.

Approved March 9, 1872.

AN ACT TO CHARTER BIG HOUSE FERRY, OVER BEAUFORT
RIVER, IN BEAUFORT COUNTY.

No. 95.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach and extend across the Beaufort River, in Beaufort County, at a point called "Sam's

Ferry at
Sam's Point.

A. D. 1872.
 Corporate
 name.

Powers and
 privileges.

of the "Mishaw Light Infantry;" and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estates, of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey, at their will and pleasure: *Provided, however,* That the property, so held, shall not exceed the annual value of ten thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. *And be it further enacted,* That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of twenty years, and until the next meeting of the General Assembly thereafter, and no longer.

Approved March 9, 1872.

No. 98. AN ACT TO INCORPORATE THE NAZARETH PRESBYTERIAN CHURCH, OF SPARTANBURG COUNTY.

Corporate
 name.

Powers and
 privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, The members of the corporation known as the "Nazareth Presbyterian Church," in the County of Spartanburg, together with the officers and members of said corporation, be, and are hereby, declared to be a body politic and corporate, by the name and style of the Nazareth Presbyterian Church, and, as such, shall have power to adopt such constitution, and to make such by-laws, as may be necessary for the government of the same, and not repugnant to the laws of this State; and shall have such council, trustees, elders and deacons, their successors in office, as they may select; to sue and be sued, plead and be impleaded, by their corporate title, in any Court of law or equity in this State; to have and use a corporate seal: to have and enjoy every right, power and privilege incident to such corporations; and the said corporation is empowered to hold, retain, possess and enjoy all such property, real and personal, as the corporation may hereafter possess or be entitled to, or which shall hereafter be given, bequeathed or devised to, or in any way acquired, and to sell and transfer the same, or any part thereof; and enjoy

and exercise all rights, powers and privileges as are incident to such corporations.

A. D. 1872.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force for the term of twenty-five years.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE AIKEN LIGHT INFANTRY, OF AIKEN, SOUTH CAROLINA. No. 99.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Peter Waggels, Alexander Williams, Joseph Robertson, Joseph Knights, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Aiken Light Infantry, of Aiken, S. C."

Corporators.

Corporate name.

SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued in any Court of this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be, in any manner whatsoever, acquired by the said corporation: *Provided*, The amount so held shall not exceed the sum of ten thousand dollars.

Powers and privileges.

SEC. 3. That this Act shall continue in force for the space of twenty years, and the same shall be taken and deemed a public Act.

Approved March 9, 1872.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF WILLIAMSTON. No. 100.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all and every person or

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Corporators. persons who may have resided within the corporate limits of the town of Williamston for one year, or who may own a freehold therein, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Name.
Corporate limits. SEC. 2. That the said persons, and their successors, shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the town of Williamston, and its corporate limits shall extend one mile in the direction of the cardinal points from the present brick hotel as a centre, and form a circle.

Officers.
Electors. SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be persons that actually reside within the limits of the corporation, and have so resided at least twelve months immediately preceding their election. The said Intendant and Wardens shall be elected on the second Monday in September, in each year, ten days' notice having been previously given, and shall continue in office for one year, and until the election and qualification of their successors. And all male inhabitants of the said town, who shall have attained the age of twenty-one years, and resided therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens: *Provided*, That no person shall be allowed to vote at any such election who shall not have registered his name as a voter with the Clerk of the Council, in a book or books to be kept by him for that purpose, by 10 o'clock A. M., on the day preceding every such election.

Election.
Managers. SEC. 4. That said election shall be held in some convenient public place in said town, from nine o'clock in the morning until five o'clock in the evening; and, when the polls shall be close, the Managers shall forthwith proceed to count the votes, under oath, publicly, stating the whole number of votes cast for each candidate or person voted for, and shall transmit their report of the same, in a sealed envelope, to the Intendant of the town; and if there be no such Intendant, the same shall be transmitted to the Clerk of the Court of Anderson County. The said Intendant, or Clerk of the Court, shall open the report of the said Managers, and shall announce and publish the whole number of the votes cast, and the whole number cast for each candidate, when the several candidates receiving the highest number of legal votes for the offices for which they were voted for shall be declared duly elected. The Intendant and Wardens, for the time being, shall always appoint three Managers to conduct the election, who, before they open the polls for said election, shall take the oath, fairly and impartially, to conduct the same. And the Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by

the Constitution of this State, and, also, the following oath, to wit:
 "As Intendant (or Warden) of the town of Williamston, I will faithfully and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God."

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 Oath of
 Office.

SEC. 5. In case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the Intendant and Warden or Wardens; and, in case there be none, then by the appointment of the Clerk of the Court of Anderson County.

Vacancies—
 how filled.

SEC. 6. That the Intendant and Wardens, duly elected and qualified, shall be, during their term of office, vested with all the powers and authority with which Trial Justices are at present vested by law, except the trial of civil cases, and except as it may be otherwise provided in this Act. And the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Williamston; and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded in any Court of law or equity in this State, and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the said Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving the health, peace, order and good government within the same. And the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public use of the said corporation: *Provided*, That, in all cases of trials to be had before the said Town Council, as hereinbefore provided, the party charged shall be cited to trial by service upon him of a summons, under the hand of the Intendant, any one of the Wardens, or the Clerk of the Council, wherein shall be expressed, with certainty, the offense charged, and the time and place of trial, which service shall be made at least five days before the day of trial.

Judicial
 powers.

Corporation's
 privileges.

Fines.

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Licenses.

SEC. 7. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions, as they now are, or may hereafter be, under the laws of this State, except that the Town Council shall have the power to regulate the price of license to keep taverns and to retail spirituous liquors: *Provided*, That in no instance the price of a license so to keep tavern or retail spirituous liquors shall be fixed at a less sum than is established by the laws of this State; and all the powers vested formerly in the Commissioners of Roads are hereby granted to the said Intendant and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures, for retailing spirituous liquors, keeping taverns, billiard tables, within the said limits, without license, shall be appropriated to the uses of said corporation: *Provided*, That the Intendant and Wardens, duly elected and qualified, shall not have power to grant any licenses to keep tavern or retail spirituous liquors to extend beyond the time for which they shall have been elected.

Roads and streets.

SEC. 8. That it shall be the duty of the said Intendant and Wardens to keep all streets, roads and ways, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted formerly to the Commissioners of Roads. And they shall have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they shall, by ordinance, establish; the moneys so received to be applied to the public use.

Annual taxation.

SEC. 9. That the said Town Council shall have power to impose an annual tax upon the keepers of all billiard tables and ten-pin alleys, or other pin alleys, within the discretion of said Council; and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations as they may, by ordinance, establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owners or proprietors of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares and merchandise; and also, upon the amount of income arising from all factorage and merchandise, employments, faculties and professions, including the profession of dentistry; also, upon the amount of income from all moneys loaned at interest, and from dividends received from banks and all other stocks: *Provided*, That no tax shall be imposed, in

any one case, to exceed the rate of thirty cents on each hundred dollars of the value of such sales and income. And the said Town Council shall have power to impose an annual tax on all carriages and wagons, of whatever kind, kept for private use; on all gold, silver and other watches, kept for private use, within the limits of the said town. And the said Town Council shall have power to impose an annual tax, not exceeding thirty cents on every hundred dollars of the value of all real estate lying in the corporate limits of said town, the real estate of churches and school associations excepted; and, for that purpose, they shall appoint three freeholders residing therein to assess the value of said real estate, upon oath, and return the assessment, within one month, to said Council for taxation; and to fill any vacancy occasioned by the death, resignation, refusal to serve, or removal from office, of the said Assessor. And the said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town; to erect a powder magazine, and to compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and storing the same. And the said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property and persons of defaulters, to the same extent, and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the said Town Council to collect the same; and all property, upon which a tax shall be levied and assessed, is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning such property at the time of the assessment, except debts due the State, which shall be first paid. The said moneys, together with all other moneys collected by authority of the provisions of this Act, and the ordinances passed in conformity thereto, from whatever source said moneys may arise, to be paid into the treasury of said town, for the use of the corporation.

SEC. 10. That returns shall be made, on oath, to the Clerk of the Town Council, during the month of January, in each year, of the amount of all sales of merchandise, professional, mechanical, or other incomes, and of the quantity and kind of all other property than real estate subject to taxation, under the provisions of this Act, by persons who may be liable to pay the taxes on the same; and the said taxes shall be paid on or before the first day of March then next ensuing. Upon failure thereof, any party in default shall

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Assessment.

Exhibitions.

Powder.
Magazine.

Executions.

Disposition
of moneys re-
ceived.Returns—
time for mak-
ing fixed.

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be subject to the penalties now provided by law for failure to pay the general State tax.

Sidewalks.

SEC. 11. That the said Town Council shall have authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever they shall front on or adjoin any public street of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of their construction, to be designated and regulated by the said Council; and, for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made and put in repair, and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction in Anderson County: *Provided*, That such contract for making or repairing be let to the lowest bidder.

Streets and roads.

SEC. 12. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of said town; and they shall also have power to lay out, adopt, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem important or necessary for the improvement and convenience of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner through whose premises any such new street, road or way may pass.

Marshals—their powers and duties.

SEC. 13. That the said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to affix their salaries and prescribe their duties, who shall be duly sworn in, and invested with all the power, and subject to all the duties and liabilities, that Constables now have or are subjected by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council: *Provided*, That their jurisdiction shall be confined to the corporate limits of said town.

Police regulations.

SEC. 14. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinances, suitable rules and regulations for keeping and governing the same, and for the confinement of all persons who may be subject to be committed for the violation of any ordinance of the town, passed in conformity with the provisions of this Act. And the said Town Council may, by ordinance, or the said Intendant and Wardens, in person, any one or more of them, authorize and require the Marshal of the town, or any Constable specially appointed for that purpose, to

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arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshals to arrest and commit all such offenders, when required to do so, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrest; and, upon the failure of such Marshals to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment: *Provided*, That such imprisonment shall not exempt the party from payment of any fine the Council may impose for the offense for which he may have been committed.

SEC. 15. That the said Town Council shall have power to collect the taxes from all persons representing publicly, within the corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purposes of said corporation.

Tax on
shows.

SEC. 16. That all fines, which shall hereafter be collected by conviction in the Court of Sessions, for retailing without license, within the corporate limits of said town, shall be paid one-half to the informer, and the other half to said Town Council, for the uses of the corporation.

Disposition
of fines.

SEC. 17. The said Town Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board.

Nuisances.

SEC. 18. That the Intendant and Wardens shall, during their term of office, be exempt from street duty; and each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their hands belonging to the corporation, and deliver up all property, books, records and other papers incident to their office, to their successors; and, on failure so to do, they shall be liable to the punishment prescribed in the twentieth Section of this Act.

Final settle-
ment.

SEC. 19. That all ordinances heretofore passed by the Town Council of Williamston, in conformity with the authority granted by existing laws, shall be, and they are hereby, declared legal and valid.

Ordinances
validated.

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 Penalty for
 neglect of
 duty, &c.

SEC. 20. That, for any willful violation of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to punishment by fine not exceeding one hundred dollars, besides being liable for damages to any person injured.

SEC. 21. That all Acts and parts of Acts, heretofore passed, in relation to the incorporation of the town of Williamston, be, and the same are hereby, repealed. And this Act shall be deemed and taken to be a public Act, and continue in force for the term of twenty years, and until the end of the session of the Legislature then next ensuing.

Approved March 9, 1872.

No. 101. AN ACT TO INCORPORATE THE VILLAGE OF LITTLE ROCK, IN THE COUNTY OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the town of Little Rock, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called by the name of Little Rock, and its corporate limits shall extend three-fourths of a mile in each direction from the Methodist Church, in said town: *Provided*, That the corporate limits of said town shall not extend beyond the Little Peedee River.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said town sixty days immediately preceding their election. The said Intendant and Wardens shall be elected on the second Saturday in April, in every year, five days' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors; and all male inhabitants of said town, who shall have attained the age of twenty-one years, (paupers and persons under disabilities for infamous crimes excepted,) and shall have resided therein sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

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Election.

Oath of office.

Managers.

Vacancies.

Judicial powers.

SEC. 3. The said election shall be held in some convenient public place in said town, from six o'clock in the morning until four o'clock in the evening, and, when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, and give notice thereof, in writing, to the persons elected. The Intendant and Wardens, before entering upon the duties of their offices, shall each take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden, as the case may be) of the town of Little Rock, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Town Council the sum of ten dollars, for the use of said town: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint a Board of three Managers to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same. That James Stackhouse, Benjamin Mace and R. P. Hamer are hereby appointed Managers, to hold the election on the second Saturday in March, one thousand eight hundred and seventy-two.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, five days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming the Council, shall be empowered to elect one of their number to act as Intendant for the time being.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers heretofore granted to Magistrates, (Trial Justices, or Justices of the Peace, as the case may be), in this State, within the limits of the said town, except for the trial of causes small and mean. And the Intendant shall, and may, as often as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, or any three Wardens, may constitute a quorum to transact business, and they shall be known as the Town Council of Little Rock, and they and their successors, hereafter to be elected, may have a common seal, which shall be

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Police regu-
lations.

Fines.

Licenses.

Roads and
streets.

affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and may purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, and by-laws and ordinances, respecting the roads, streets, market and police of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving health, peace, order and good government within the same. And the said Town Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public uses of the said corporation: *Provided*, That no fine shall exceed fifty dollars for any one offense; and, also, that nothing herein contained shall authorize the said Council to make any by-laws inconsistent with, or repugnant to, the Constitution and laws of this State; and all by-laws and ordinances the Council may make shall, at all times, be subject to revision or repeal by the Legislature of this State.

SEC. 6. That the Intendant and Wardens of said town shall have full power to grant or refuse licenses to keep taverns, or to retail spirituous liquors, within the corporate limits of said town, upon such conditions, and under such circumstances, as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, or to retail spirituous liquors, be at a less sum than is established by the laws of this State; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without licenses, shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens shall not have power to grant any license to keep taverns, or to retail spirituous liquors, to extend beyond the term for which they have been elected.

SEC. 7. That it shall be the duty of the said Intendant and Wardens to keep all roads, ways, bridges and streets, within the corporate limits, open and in good repair; and they may lay out new streets, close up, widen or otherwise alter those now in use, and for that purpose they are invested with all the powers and duties of County Commissioners, or Commissioners of Roads, for and within the corporate limits of said town. They shall have power to compound with all persons liable to work the streets, ways and roads of said town, upon such terms as they shall, by ordinance, establish; the moneys so received to be applied to the public use of said town;

and all persons refusing to labor, or failing to pay such commutation, shall be liable to such fine, not exceeding twenty dollars, as the Town Council may impose.

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SEC. 8. They shall have the power to impose an annual tax, not exceeding fifty cents on every hundred dollars of the value of all real and personal property, lying within the corporate limits of the said town, the real and personal property of churches and school associations excepted. The said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town; to erect a powder magazine, and compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and delivering the same. The said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the town Marshal, or other person especially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof, in preference to all other debts against the said property, except debts due the State, which shall be first paid.

Annual taxation.

Erection of powder magazine.

Executions.

SEC. 9. The said Town Council shall have power and authority to require all persons owning a lot or lots in said town to close in, and to make and keep in good repair, sidewalks, in front of said lot or lots, whenever the same shall front or adjoin any public street of said town, if, in the judgment of the Council, such sidewalk shall be necessary; the width thereof, and the manner of construction, to be designated and regulated by the said Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalk, and to close in such lot or lots, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing. And the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making or repairing be let to the lowest bidder. The cemeteries and grave yards are, also, placed under the jurisdiction of the Town Council.

Sidewalks.

SEC. 10. The said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets, and ways within the said town as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may

Power to close and open streets.

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adjudge best for the interest of the said town ; and they shall, also, have power to lay out, adopt, widen or otherwise alter those streets now in use, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement or convenience of said town : *Provided*, That no street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

Marshals.

SEC. 11. The said Town Council shall have power, and are hereby authorized, to elect one or more Marshals, to fix their salaries and prescribe their duties, who shall be sworn in, and invested with all the powers and subjected to all the duties and liabilities that Constables now have, or are subject to, by law, in addition to the duties and liabilities specially conferred and imposed on them by the Town Council : *Provided*, That their jurisdiction shall be confined within the limits of the said town.

Police regulations.

SEC. 12. That the said Town Council shall have power to establish a guard house, and to prescribe, by ordinance, suitable rules and regulations for keeping and governing the same ; and the said Town Council may, by ordinance, or the said Intendant or Wardens, in person, any one or more of them, authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house, for a term not exceeding twenty-four hours, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them ; and it shall be the duty of the Town Marshal to arrest and commit all such offenders, when required so to do, who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests ; and upon failure of said Marshal to perform such duty as required, they shall, severally, be subject to such fines and penalties as the Town Council may establish. And all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for the violation of ordinances : *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense for which he may have been committed.

Tax shows, &c. on

SEC. 13. The said Town Council shall have power to impose and collect taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what na-

ture or kind whatsoever, to be appropriated to the public uses of said town.

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SEC. 14. The said Town Council shall have full power and authority to abate all nuisances within the corporate limits of said town.

Nuisances.

SEC. 15. The Intendant and Wardens elect shall, during their term of office, be exempt from street duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during their term, which account shall be published in one or more papers in the County, and shall pay over all moneys in their possession belonging to the corporation, and shall deliver up all books, records and other papers incident to their office to their successors; and on failure so to do they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by the Town Council.

Final settlement.

SEC. 16. For any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to punishment as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Penalty for neglect of duty.

SEC. 17. This Act shall be deemed a public Act, and continue in force for the term of fifteen years, and until the end of the session of the Legislature then next ensuing.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE "STAR FIRE ENGINE COMPANY, No. 102. OF GEORGETOWN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George H. Pawley, Tony G. Rutledge, William A. Johnson, William Moultrie, John Smyley, and their associates and successors in office, be, and they are hereby, created and constituted a body politic and corporate, by and under the name and style of the "Star Fire Engine Company, of Georgetown," with a capital stock not exceeding the sum of five thousand dollars, with a right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to

Corporators.

Corporate name.

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 Powers and
 privileges.

have and to use a common seal, and the same to alter at will and pleasure; and to have and enjoy all other rights, privileges and immunities that are now, or may be hereafter, secured by law to like incorporated bodies.

SEC. 2. This corporation shall enjoy all the rights and privileges secured to corporations under the Act to regulate the formation of corporations, and be subject to the liabilities therein prescribed, so far as applicable.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force for the term of fourteen years.

Approved March 9, 1872.

No. 103. AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

Police—their
 duties and
 compensa-
 tion.

Judicial pow-
 ers.

Marshals—
 powers and
 duties.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act incorporating the town of Beaufort be so amended that the Town Council of Beaufort be, and they are hereby, authorized to establish a guard or police for the better security and regulation of said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation, and impose fines and penalties for neglect or improper discharge of duties of said guard, and, generally, to perform all acts necessary and proper to effectuate the intention of this Act, and make and establish all rules and orders relative to said guard, not inconsistent with the laws of the State. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, have the same powers which a Trial Justice now has to compel the attendance of witnesses, and require them to give evidence, upon the trial before them of any person for the violation of any of the by-laws or ordinances of the town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of the town of Beaufort; and they and their successors in office shall have a common seal, and shall have power to appoint, from time to time, such and so many proper persons to act as Marshals or Constables, as they shall deem expedient and proper, which officers shall have all powers, privileges and emoluments, and be subject to all the duties, penalties and regulations,

provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells and springs, or fountains of water, markets, and police of said town of Beaufort, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State; and all such by-laws and ordinances shall, at all times, be subject to revisal or repeal by the General Assembly of the State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fine shall exceed thirty dollars, and when fines shall exceed twenty dollars, the same to be collected as fines and penalties in Trial Justices' Courts.

A. D. 1872.

Rules and
by-laws.

Fines.

SEC. 2. That the Town Council shall have full power and authority to require all persons owning a lot or lots in said town to build a lawful fence, and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of their construction, to be designated and regulated by the Town Council; and for default or refusal to keep in repair such sidewalks, the Town Council may cause the same to be put in repair, and require the owner to pay the price of repairing: *Provided*, That such contract for repairing the same be let to the lowest bidder.

Sidewalks.

SEC. 3. That the said Town Council shall have power to abate all nuisances within the corporate limits, and also to appoint a Board of Health and a Harbor Master, when deemed necessary, for the said town, and to pass such ordinances as may be necessary to define the duties and powers of the said Board, and to impose fines and penalties upon the members of the said Board for neglect of duty or refusal to serve.

Nuisances.

SEC. 4. That the power to grant or refuse licenses for ten-pin or other pin alleys, bagatelle tables, to keep taverns or retail spirituous liquors within the limits of the said corporation, be, and the same is hereby, vested in the Town Council of Beaufort, and the said Town Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Town Council may see fit and proper: *Provided*, No such license shall exceed the sum of two hundred dollars: *Provided, further*, That in no instance shall the price of a license to keep tavern, or to retail spirituous liquors

Licenses.

A. D. 1872.

be fixed at a less sum than is established by the laws of this State.

SEC. 5. That the said Town Council are hereby empowered to require all persons, companies and corporations now engaged, or who may hereafter become engaged, in business, or avocations of any kind whatever, within the limits of said town, to take out a license from the said Town Council, who are hereby authorized to impose a reasonable charge or tax, within their discretion, for the conduct of the same: *Provided*, No such license shall exceed the sum of five hundred dollars.

Tax on sales,
&c.

SEC. 6. That the said Town Council shall have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all drays, carts, wagons, omnibuses, carriages and other vehicles kept for hire. And the said Town Council shall have power to enforce the payment of all taxes and assessments against the property and persons of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the said Town Council to collect the same.

Executions.

Returns.

SEC. 7. That returns shall be made, on oath, to the Clerk of the Town Council whenever, and at such times, as the said Council may so require, by ordinance, of the amount of all sales of merchandise, professional, mechanical or other incomes, and of the quantity and kind of all property, other than real estate, subject to taxation under the provisions of this Act, by persons who may be liable to pay the taxes on the same; and any person in default of payment of such taxes, when such payment may become due, shall be subject to the penalties now provided by law for failure to pay the general State tax. That all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping tavern and billiard tables, within the limits, without licenses, shall be appropriated to the public uses of said town.

Disposition
of fines.

SEC. 8. That all Acts or parts of Acts, in relation to the Town Council of Beaufort, repugnant to or supplied by this Act, be, and the same are hereby, repealed.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE COLUMBIA JOCKEY CLUB.

A. D 1872

No. 104.

Corporators.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. J. Robertson, John Agnew, Charles Logan, R. C. Shiver, Owen Daly, M. J. Calnan, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the Columbia Jockey Club, and shall have power to retain, possess and enjoy all such property as they may now be possessed of, or entitled to, or which shall hereafter be acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held shall not exceed twenty-five thousand dollars.

SEC. 2. That they shall or may have a succession of officers and members, according to the rules and by-laws which may be adopted by them; and shall have power to make and change, at will, rules and by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State. They shall, jointly and severally, be responsible for all debts incurred by the corporation or its agencies.

Liability of
corporators.

SEC. 3. That this Act shall remain in force for the term of fifteen years, and until the meeting of the next session of the General Assembly, thereafter.

Approved March 9, 1872.

AN ACT CONFERRING UPON THE COUNTY COMMISSIONERS CERTAIN POWERS IN RELATION TO THE LICENSE AND SALE OF INTOXICATING LIQUORS.

No. 105.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That all the powers and duties heretofore conferred upon the Commissioners of Roads of the various Districts of this State, in relation to the license and sale of intoxicating liquors, be, and they are hereby, conferred upon the County Commissioners. This Act shall take effect on and after its passage.

Duties of
Road Com-
missioners
conferred on
County Com-
missioners.

Approved March 9, 1872.

A. D. 1872. AN ACT TO PERMIT JAMES McCULLOUGH TO ADOPT, CHANGE
 No. 106. THE NAME OF, AND MAKE HIS LAWFUL HEIR, JOSEPH ALLEN STEPP.

Jos. A. Stepp
 adopted and
 made the
 lawful heir of
 J. McCullough

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James McCullough, of Greenville County, is hereby authorized and empowered to adopt, and make his lawful heir, Joseph Allen Stepp, and that the name of the said Joseph Allen Stepp shall be changed to Joseph Allen McCullough.

Entitled to
 inherit his es-
 tate.

SEC. 2. That should the said James McCullough die intestate, the said Joseph Allen McCullough shall inherit, in common with the other lawful heirs of the said James McCullough, his estates, both personal and real.

Approved March 9, 1872.

No. 107. AN ACT TO CHARTER THE UNION SAVINGS BANK, OF GEORGETOWN, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James A. Bowley, W. H. Jones, Jr., Thomas D. McDowell, S. R. Carr and James Murrell, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the

Corporate
 name.

name and style of the "Union Savings Bank, of Georgetown, South Carolina," and, by this name and style, shall be, and is hereby, made capable in law to have, purchase, enjoy and retain, to it and its successors, lands, rents, tenements, goods, chattels and effects of what kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of Record, or any other place whatsoever; and, also, to make, have and use a common seal, and the same to alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation, not being contrary to the laws of the State or the Constitution thereof.

Powers and
 privileges.

SEC. 2. The capital stock of said corporation shall not be less than ten thousand dollars, which may be increased, from time to time, to a sum not exceeding two hundred thousand dollars, and shall be paid in and accumulated as hereinafter provided.

A. D. 1872.

Capital.

SEC. 3. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks; in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any corporate company; to lend money upon personal or real security; to discount bonds, notes, and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt.

Investment
of funds.

SEC. 4. That said corporation shall receive deposits from any person or persons, and all such deposits shall be invested as the Board of Directors may deem most advantageous, and in accordance with Section 3, and interest shall be allowed to the depositors thereof, as may be directed or provided for by the by-laws of the institution.

Deposits.

SEC. 5. Each subscriber to stock in this Bank shall, on or before the fifth day of each month, pay, at the office of the Bank, one dollar per share of his or her subscription, and any subscriber failing to do so shall be fined five cents per share for such delinquency, and for each succeeding ten days of such delinquency, ten cents per share additional; and if, at the expiration of two months, such delinquency shall still exist, the stock shall be sold at public auction, the proceeds of which shall be paid to such delinquent stockholder, after deducting all fines that may be charged against him, or his proportion of all losses sustained, and expenses incurred by the institution, in the course of its business.

Penalty for
failure to pay
subscriptions

SEC. 6. As soon as the stock becomes of the value of one hundred dollars per share, scrip shall be issued to each stockholder for the number of shares standing in his or her name on the books of the institution, signed by the President and Cashier, with the corporate seal of the Bank affixed, from which time the payment of monthly installments shall cease.

Issue of
scrip.When pay-
ments of in-
stallments
shall cease.

SEC. 7. Any stockholder, at any time prior to the stock becoming of the value of one hundred dollars per share, may withdraw from the institution, upon written notice being given at any regular meeting of the Board of Directors, and, at the expiration of ninety days, the institution shall pay to said stockholder the actual value of his or her stock at the date of notice of withdrawal, the monthly installments of such stockholder ceasing from date of said notice, or said stockholder may sell or transfer his or her interest to any other

Right of
stockholders
to withdraw.

A. D. 1872. person, the purchaser being placed on an equality with the other stockholders.

Actual value
of stock de-
fined.

SEC. 8. By actual value of the stock is meant the amount paid in by each stockholder, together with his or her proportion of any losses that may have occurred, and withholding his or her proportion of any investments about which the Board of Directors may be doubtful, until they are satisfied.

Dividends.

SEC. 9. As soon after the stock becomes of the value of one hundred dollars per share, and scrip is issued therefor, the Directors may make dividends, at such times, and of so much of the profits of the Bank as shall appear to them advisable.

Election of
officers.

SEC. 10. There shall be elected, as soon after the ratification of this Act as the corporators and subscribers may deem advisable, and annually thereafter, seven Directors from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting. The Board shall appoint (to hold at its pleasure) the subordinate officers and agents, prescribe their duties and compensation, and take from them such bonds, with security, as it may deem advisable.

Appoint-
ment of sub-
ordinates.

Meetings.

SEC. 11. It shall be competent, at any general meeting of stockholders, to change the time of holding the annual meetings; and extra meetings may be called, at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders, each share shall entitle its holder to one vote, and a representation of a majority of the entire stock, by the holders in person, or by their proxies, shall be requisite to constitute a quorum.

Special pow-
ers.

SEC. 12. The said company is hereby declared capable in law of holding and exercising the office of executor, by appointment of any testator; the office of administrator of the testator or intestate, by appointment of the Court of Probate; the office of guardian, or other trustee of any estate which may be held in trust by appointment of any person or Court of competent authority to make such appointment, and the office of trustee under any mortgage; and, in any such case, the said company, or executor, administrator or trustee shall be subject to the same measure of accountability, and to the same rules and regulations of law which pertain to such trusts when held and exercised by natural persons, except that, in lieu of any bond to be required of said company for the administration of any trust, the capital stock and other assets of the company shall be pledged for the faithful discharge of any trust.

Liability of
stockholders.

SEC. 13. That the stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in said

corporation for all its debts and liabilities upon note, bill or otherwise; and, further, no Director or other officer of said corporation shall borrow any money from said corporation. And if any Director or other officer shall be convicted, upon indictment of, directly or indirectly, violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

A. D. 1872.

SEC. 14. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading; and the charter hereby granted shall be in force from its passage, and continue in force for a period of thirty years.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE FIREMEN'S UNION, OF CHARLESTON, S. C. No. 108.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas S. Denison, John R. Campbell, Parris S. Attles, H. Bolden Pickinpack, Arthur B. Mitchell, Nathan S. Robinson, Daniel L. Brown, Wm, E. Elliott, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared to be a body politic and corporate, by the name and style of "The Firemen's Union, of Charleston, S. C."

Corporators.

SEC. 2. That the said association shall have succession of officers and members, according to its by-laws; shall have power to make by-laws, not repugnant to law; and to have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; to retain, possess and enjoy all real and personal property that it may now have, or may hereafter acquire, to the value of ten thousand dollars; and it is hereby empowered, at any time it may be deemed beneficial to the corporation, to sell, alien or transfer the same.

Corporate name.

Powers and Privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 9, 1872.

A. D. 1872.

No. 109.

AN ACT TO INCORPORATE THE GRAND LODGE OF FREE AND
ACCEPTED ANCIENT YORK MASONS OF THE STATE OF SOUTH
CAROLINA, AND THE SUBORDINATE LODGES UNDER ITS JU-
RISDICTION.

Corporators.

Corporate
name.Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George E. Johnson, Wm. H. Birney, T. B. Maxwell, Wm. B. Nash, B. A. Bosemon, Jr., H. J. Maxwell, H. E. Hayne, Wm. Inglis, Jr., Wm. C. Young, H. L. Bell, R. B. Elliott, R. E. Dereef, J. A. Bowley, R. H. Gleaves, W. H. Jones, Jr., and their successors in office, be, and they are hereby, incorporated, by the name of "The Most Worshipful Grand Lodge of Free and Accepted Ancient York Masons, of the State of South Carolina," and by that name shall have capacity to sue and be sued, plead and be impleaded, in any and all of the Courts of this State; to contract and be contracted with; to have a common seal, and to alter the same at pleasure. And the said Grand Lodge, through its four principal officers, shall have perpetual succession, and may grant dispensations and charters to subordinate Lodges, to be subject to and under its Masonic jurisdiction, and make, ordain and establish its constitution, by-laws, rules and regulations, not inconsistent with the Constitution or laws of this State, or of the United States; and may acquire, hold and enjoy so much real estate as may be necessary for the erection of proper buildings and offices, not to exceed ten acres, for carrying on and conducting its business; and, in the erection of its Lodge room, may erect store rooms or offices in the lower stories thereof, and rent out the same and collect the rent, and hold or loan the same out, as the Grand Lodge may desire, subject to the regulations hereinafter prescribed.

Power to
collect revenue
and dispose of the
same.

Proviso.

SEC. 2. That said Grand Lodge shall have power to collect its revenue and to apply the same, according to the ancient custom of the order, or may loan out the same for the purpose of aiding in benevolent enterprises, or for the purposes of accumulation: *Provided*, That the funds, in money or choses in action, shall not exceed, in available assets, the sum of fifty thousand dollars at any one time, and shall not be loaned upon usurious interest, nor shall the funds or accretions thereof be used otherwise than for the payment of the expenses of the said Grand Lodge, and for charitable purposes; and being thus set apart, the same shall not be liable to taxation.

SEC. 3. That all contracts made, or obligations assumed heretofore, which are not inconsistent with the laws of the land, by said

Grand Lodge, be, and the same are hereby, made valid and binding upon said Grand Lodge, as organized under this charter; and the acceptance of this charter by a resolution of said Grand Lodge shall be all that is required to complete its organization under the same.

A. D. 1872.

SEC. 4. That the three principal officers of each subordinate lodge, under the jurisdiction of this Grand Lodge, and their successors in office, be, and the same are hereby, created a body politic and corporate, so far as to enable them, for each of their respective lodges, to receive, hold and enjoy, possess and retain property, both real and personal, not exceeding in value the sum of twenty-five thousand dollars, and to sell, alien, or lease the same, in any manner deemed advisable by said subordinate lodges, and which said subordinate lodges shall be, and are hereby, incorporated by the name specified in the charter or dispensation granted by the said Grand Lodge to each of them, respectively, which said charters or dispensations, whether granted heretofore or hereafter by said Grand Lodge, shall be evidence of the fact of incorporation under this Act, in any Court of this State, without further proof; and by such name said subordinate lodges may sue and be sued, plead and be impleaded, and do all things enjoined by the said Grand Lodge, not inconsistent with the Constitution or laws of the land, and within the scope and purview of the powers hereby conferred upon said Grand Lodge; and the said subordinate lodges, respectively, shall retain their said corporate powers so long as the said Grand Lodge shall continue their respective charters or dispensations, but shall cease to possess any corporate existence when the charter or dispensation shall have been revoked or taken away by said Grand Lodge; and all the effects of such subordinate lodge as may forfeit its charter or dispensation shall belong to the said Grand Lodge; and each subordinate lodge shall have the same powers, with respect to its assets, as are conferred by the second Section of this Act upon the Grand Lodge.

Subordinate
Lodges, char-
ters of, pro-
vided for.

Powers, &c.

Limitation
of charter.

SEC. 5. That the said Grand Lodge, and such subordinate lodge under its jurisdiction, shall have, respectively, power to receive by gift, grant, contract, devise or donation, by will, subscription or otherwise, any personal or real estate, not exceeding in value the sum hereinabove mentioned as the maximum of their assets, respectively, and shall have power to sell, alien or dispose of the same; and no such gift, grant, contract or devise, or donation by will, subscription or otherwise, shall fail by reason of any misdescription in the name of such corporation; and all contracts or agreements which may have been lawfully entered into by said subordinate lodges, under their organization heretofore, shall be binding upon them in their

Power to
hold and dis-
pose of prop-
erty.

A. D. 1872.

several corporate capacities under this Act; and the same may be enforced by them, respectively; and the property and effects owned by them, being dedicated to charitable purposes only, shall be exempt from taxation.

SEC. 6. That this Act shall be deemed and taken as a public Act, and notice thereof shall be taken in all the Courts of Justice and elsewhere in this State, and shall be given in evidence on any trial of any issue or cause, without specially pleading.

Approved March 9, 1872.

No. 110. AN ACT TO RENEW THE CHARTER OF THE HOPE STEAM FIRE ENGINE COMPANY, OF CHARLESTON.

Renewal of
charter.

Subject to
provisions of
Act of 1836.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Hope Fire Engine Company, of Charleston, is hereby renewed and continued in force until repealed, and the said company is hereby authorized to adopt the name and style of the Hope Steam Fire Engine Company, of Charleston: *Provided*, The said Hope Steam Fire Engine Company, of Charleston, and the members thereof, shall, at all times, be subject to the provisions of the 12th Section of the Act passed on the 21st day of December, in the year 1836, entitled "An Act for the better regulating of the Fire Department of the City of Charleston."

Approved March 9, 1872.

No. 111. AN ACT TO AMEND SUNDRY SECTIONS OF THE CODE OF PROCEDURE RELATING TO THE CIRCUIT COURTS.

Second Circuit.

Third Circuit.

Fourth Circuit.

Sixth Circuit.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Counties of Aiken, Beaufort, Barnwell and Colleton shall constitute the Second Circuit; that the Counties of Sumter, Clarendon, Williamsburg and Georgetown shall constitute the Third Circuit; that the Counties of Chesterfield, Marlboro, Darlington, Marion and Horry shall constitute the Fourth Circuit; that the Counties of Chester,

Lancaster, York and Fairfield shall constitute the Sixth Circuit; that the Counties of Newberry, Laurens, Union and Spartanburg shall constitute the Seventh Circuit.

A. D. 1872.

Seventh Circuit.

SEC. 2. The Circuit Courts in the Second Circuit shall be held as follows: 1. The Court of General Sessions, at Aiken, for the County of Aiken, on the second Monday of January, May and September; and the Court of Common Pleas, at Aiken, for the County of Aiken, on the first Wednesday after the second Monday of January, May and September. 2. The Court of General Sessions, at Blackville, for the County of Barnwell, on the third Monday in January, May and September; and the Court of Common Pleas, at Blackville, for the County of Barnwell, on the fourth Monday of January, May and September. 3. The Court of General Sessions, at Beaufort, for the County of Beaufort, on the first Monday of February, June and October; and the Court of Common Pleas, at Beaufort, for the County of Beaufort, on the second Monday of February, June and October. 4. The Court of General Sessions, at Walterboro, for the County of Colleton, on the third Monday of February, June and October; and the Court of Common Pleas, at Walterboro, for the County of Colleton, on the fourth Monday of February, June and October.

Second Circuit.

Aiken.

Barnwell.

Beaufort.

Colleton.

SEC. 3. The Circuit Courts in the Third Circuit shall be held as follows: 1. The Court of General Sessions, at Sumter, for the County of Sumter, on the second Monday of January, May and October; and the Court of Common Pleas, at Sumter, for the County of Sumter, on the first Wednesday after the second Monday of January, May and October. 2. The Court of General Sessions, at Manning, for the County of Clarendon, on the fourth Monday of January, May and October; and the Court of Common Pleas, at Manning, for the County of Clarendon, on the first Wednesday after the fourth Monday of January, May and October. 3. The Court of General Sessions, at Kingstree, for the County of Williamsburg, on the first Monday after the fourth Monday of January, May and October; and the Court of Common Pleas, at Kingstree, for the County of Williamsburg, on the first Wednesday after the fourth Monday of January, May and October. 4. The Court of General Sessions, at Georgetown, for the County of Georgetown, on the second Monday after the fourth Monday of January, May and October; and the Court of Common Pleas, at Georgetown, for the County of Georgetown, on the first Wednesday after the second Monday after the fourth Monday of January, May and October.

Third Circuit.

Sumter.

Clarendon.

Williamsburg.

Georgetown.

SEC. 4. The Circuit Courts in the Fourth Circuit shall be held as follows:

Fourth Circuit.

1. The Court of General Sessions, at Chesterfield, for the County

Chesterfield.

A. D. 1872.

of Chesterfield, on the first Monday of January, May and September; and the Court of Common Pleas, at Chesterfield, for the County of Chesterfield, on the first Wednesday after the first Monday of January, May and September.

Marlboro.

2. The Court of General Sessions, at Bennettsville, for the County of Marlboro, on the third Monday of January, May and September; and the Court of Common Pleas, at Bennettsville, for the County of Marlboro, on the first Wednesday after the third Monday of January, May and September.

Darlington.

3. The Court of General Sessions, at Darlington, for the County of Darlington, on the first Monday of February, June and October; and the Court of Common Pleas, at Darlington, for the County of Darlington, on the first Wednesday after the first Monday of February, June and October.

Marion.

4. The Court of General Sessions, at Marion, for the County of Marion, on the third Monday of February, June and October; and the Court of Common Pleas, at Marion, for the County of Marion, on the first Wednesday after the third Monday of February, June and October.

Horry.

5. The Court of General Sessions, at Conwayboro, for the County of Horry, on the first Monday after the fourth Monday of March, July and November; and the Court of Common Pleas, at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday after the fourth Monday of March, July and November.

Sixth Circuit.

SEC. 5. The Circuit Courts in the Sixth Circuit shall be held as follows:

Chester.

1. The Court of General Sessions, at Chesterville, for the County of Chester, on the first Monday of January, May and September; and the Court of Common Pleas, at Chesterville, for the County of Chester, on the first Wednesday after the first Monday of January, May and September.

Lancaster.

2. The Court of General Sessions, at Lancaster, for the County of Lancaster, on the first Monday of February, June and October; and the Court of Common Pleas, at Lancaster, for the County of Lancaster, on the first Wednesday after the first Monday of February, June and October.

York.

3. The Court of General Sessions, at Yorkville, for the County of York, on the first Monday of March, July and November; and the Court of Common Pleas, at Yorkville, for the County of York, on the first Wednesday after the first Monday of March, July and November.

Fairfield.

4. The Court of General Sessions, at Winnsboro, for the County of Fairfield, on the first Monday of April, August and December;

and the Court of Common Pleas, at Winnsboro, for the County of Fairfield, on the first Wednesday after the first Monday of April, August and December. A. D. 1872.

SEC. 6. The Circuit Courts in the Seventh Circuit shall be held as follows: Seventh Circuit.

1. The Court of General Sessions, at Newberry, for the County of Newberry, on the third Monday of January, May and September; and the Court of Common Pleas, at Newberry, for the County of Newberry, on the first Wednesday after the third Monday of January, May and September. Newberry.

2. The Court of General Sessions, at Laurensville, for the County of Laurens, on the third Monday of February, June and October; and the Court of Common Pleas, at Laurensville, for the County of Laurens, on the first Wednesday after the third Monday of February, June and October. Laurens

3. The Court of General Sessions, at Unionville, for the County of Union, on the third Monday of March, July and November; and the Court of Common Pleas, at Unionville, for the County of Union, on the first Wednesday after the third Monday of March, July and November. Union.

4. The Court of General Sessions, at Spartanburg, for the County of Spartanburg, on the first Monday after the fourth Monday in March, July and November; and the Court of Common Pleas, at Spartanburg, for the County of Spartanburg, on the second Monday after the fourth Monday in March, July and November. Spartanburg.

SEC. 7. That all writs and processses which shall have been made returnable to the Courts of any of the said Counties, according to the laws heretofore of force, shall be legal and valid, to all intents and purposes, for the Courts next to be held in the said Counties, respectively, according to the provisions of this Act; and all persons already summoned, or who may hereafter be summoned, to attend the Courts of any of said Counties, as jurors or witnesses, or who are now, or hereafter shall be, bound in recognizance to appear at any of the said Courts, according to the laws heretofore of force, shall be, and are hereby, required to attend or appear at the Courts of the said Counties, respectively, next to be held, according to the provisions of this Act. Writs and processses, issued according to laws heretofore of force, legal and valid.
Jurors and witnesses, summoned according to laws heretofore of force, required to appear at Courts held according to this Act.

Approved March 9, 1872.

AN ACT TO INCORPORATE THE CHARLESTON, GEORGETOWN AND CONWAYBORO RAILROAD COMPANY. No. 112.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

A. D. 1872.	eral Assembly, and by the authority of the same, That for the purpose of constructing a railroad, of one or more tracks, from some point at or near the city of Charleston, through the Counties of Charleston and Georgetown, to some point at or near the town of Georgetown, and thence through Horry County, to some point at or near Conwayboro, thence to the North Carolina State line, that
Corporators.	C. B. Stuart, Henry M. Drane, Ed. R. Wiggin, Samuel P. Vick, Wm. A. Greenleaf, W. H. McDowell, John Douglass, W. F. Johnston, J. Walker, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name of the Charleston, Georgetown and Conwayboro Railroad Company, and, by such title, shall have a corporate existence for the term of thirty (30) years; and may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; and may have
Corporate name.	and use a common seal, which it may change or alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying estate, real, personal and mixed, and other property, and acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government, not inconsistent with the Constitution and laws of the State of South Carolina, and of the United States.
General powers.	SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad, of one or more tracks, extending from some point at or near Charleston, to some point at or near Georgetown, thence to some point at or near Conwayboro, thence to some point on the North Carolina State line in Horry County, the particular route of same to be determined upon by the company after the same shall have been formed.
Capital. Shares.	SEC. 3. That the capital stock of said company shall be three millions of dollars, in shares of one hundred dollars each, with the privilege of increasing the said capital stock to such an amount as may be found necessary to construct, equip and maintain the said railroad; and the shares shall be personal property, transferable in such manner as the by-laws may direct; and, for the raising of such capital stock, it shall be lawful to open books of subscription, at such times and places, and under the direction of such persons, as said company may determine. That the said subscriptions to the capital stock may be made in money, bonds, lands, material or work at such rates, and on such terms as may be agreed upon at the time of such subscription. A copy of any articles of association, signed by the incorporators named in this Act, or any number of them, not less than five, may be filed in the office of the Secretary of State, and, thereupon, the persons subscribing such articles of association, and all persons who shall become stockholders in such
Subscriptions.	
Articles of association to be filed in office Secretary of State.	

company, shall be a corporation, in deed and in law, for the purposes herein set forth, and shall be considered organized by such act of association.

A. D. 1872.

SEC. 4. That the company hereby authorized shall be allowed six months, after the passage of this Act of incorporation, in which to file the articles of association in the office of the Secretary of State, as provided for in Section 3. And the railroad hereby authorized to be constructed shall be commenced within two years after the passage of this Act, or otherwise the charter shall be void.

Time in which to file said articles.

SEC. 5. That the said railroad company is hereby authorized to construct and operate one or more lines of telegraph along its railway, charging and collecting such remuneration for messages or dispatches as the President and Board of Directors may determine. The said company may connect said line of telegraph with the lines of any other company in this or any adjoining State, and may lease, farm out, or sell the above right, as, in the judgment of the President and Board of Directors, may most advantageous to the interest of the company.

Time of commencing said road limited.

Telegraphs.

SEC. 6. That the said company is hereby authorized and empowered to mortgage any or all of its property and franchises, and issue bonds and preferred stock to an amount, and on such terms and conditions, and for such uses and purposes of the said corporation, as the President and Directors thereof deem expedient for the best interests of the company.

May mortgage its property.

SEC. 7. That the said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property into and with the capital stock, estate, real, personal and mixed, franchises, rights, privileges and property of any other railroad company or companies, chartered by and organized under the laws of this or any other State or States, whenever the two or more railroad companies so to be merged and consolidated shall or may form a continuous line of railroad with each other, or by means of any intervening railroad, bridge or ferry; and such consolidation shall or may be effected in such manner, and on such terms and conditions, as the President and Board of Directors may determine.

Right of consolidation with other roads.

SEC. 8. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of rail-ways and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Subject to provisions of Act of 1868.

A. D. 1872.

SEC. 9. That this Act shall go into effect on and after its passage ; and all Acts or parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved March 9, 1872.

No. 113. AN ACT TO INCORPORATE THE BEAUFORT HORSE RAILROAD COMPANY, IN THE TOWN AND COUNTY OF BEAUFORT.

- SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robert
- Corporators.** Smalls, R. S. Bennett, P. E. Ezekiel, James M. Crofut, W. J. Whipper, J. B. Bascomb, Samuel Green, J. W. Collins, N. B. Meyers, E. Nchemias, and all those persons who may hereafter be associated with them, be, and the same are hereby, made and declared
- Corporate name.** a body corporate, under the style and title of the Beaufort Horse Railroad Company, and, by such title, may sue and be sued, and may plead and be impleaded ; and shall have authority and power
- Capital stock.** to take, subscribe and raise a capital stock to the amount of twenty-five thousand (25,000) dollars, in shares of twenty-five (25) dollars each, for the purpose herein specified ; and they are hereby further authorized and empowered to increase the said capital stock to the sum of fifty thousand dollars : *Provided*, That such increase shall be assented to by the majority of the stockholders.
- Route.** SEC. 2. That the said Beaufort Horse Railroad Company, of Beaufort, shall have power and authority to lay a railway track from the east end of Bay street, in the town of Beaufort, through and along Bay street, and connecting with the Port Royal Railroad, and such other points as they may deem most advantageous.
- General powers.** SEC. 3. That the said Beaufort Horse Railroad Company, of Beaufort, shall be able and capable, by its corporate name, to buy property, and to sell, for the purpose of its business ; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State ; and have succession of officers and members ; and shall have power to make by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority of the stockholders ; and to have a common seal, and to alter and make new the same.
- Issue bonds.** SEC. 4. That the said Beaufort Horse Railroad Company, of Beaufort, shall have power and authority to issue bonds to an amount equal to one-half of the capital subscribed, the same to be

redeemable at such time, not exceeding ten (10) years, as may be agreed upon by the said company, and to bear interest at seven per cent. per annum, payable semi-annually.

SEC. 5. That this Act shall remain in force, and continue for the term of ninety-nine (99) years.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 12, 1872.

A. D. 1872.

AN ACT TO PREVENT CERTAIN OFFICERS FROM BUYING, DISCOUNTING OR SHAVING TEACHERS' PAY CERTIFICATES OR OTHER ORDERS ON SCHOOL FUNDS, OR JURORS' CERTIFICATES.

No. 114.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That it is hereby declared to be unlawful for any County Treasurer, County Auditor, County School Commissioner or School Trustee to buy, discount or shave, directly or indirectly, or be in any way interested in any teacher's pay certificate or other order on school funds, or jurors' certificates.

Certain officers prohibited from dealing in teachers' and jurors' certificates.

SEC. 2. That, if any of the officers aforesaid shall violate the provisions of Section 1 of this Act, he shall be deemed to be guilty of a misdemeanor, and, on conviction thereof, shall pay a fine of not less than five hundred (500) dollars, nor more than two thousand (2,000) dollars, to be used for school purposes in his County, and shall be imprisoned at the discretion of the Court, or either, or both.

Penalty for violation of this Act.

SEC. 3. That this Act shall take effect from its passage.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE BULL RIVER AND PORT ROYAL RAILROAD COMPANY.

No. 115.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the pur-

- A. D. 1872.** pose of establishing a railroad from some point on Bull River, to a junction with the Port Royal Railroad, at a point at or near Whale Branch, a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted to and vested in D. C.
- Corporators.** Wilson, Robert Smalls, J. G. Thompson, W. J. Whipper, J. M. Crofut, N. B. Myers, F. E. Wilder, J. B. Bascomb, W. M. French, Samuel Green, P. L. Wiggin, S. B. Thompson, Alfred Williams, M. Pollitzer, P. Coxum, W. E. Towne, J. S. Brown, J. S. Mobley, and their associates; and when a company shall be formed, in compliance with the conditions herein prescribed, it shall be known by the name of the Bull River and Port Royal Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.
- Corporate name.**
- Capital stock.** SEC. 2. That the capital stock of said company shall be one million (1,000,000) dollars, in shares of twenty-five dollars each; and, in order to raise the said capital stock, it shall be lawful to
- Books of subscription.** open books of subscription in such places, and at such times, as may be deemed for the best interest of the corporation, under the direction of the corporators; the times and places for receiving such subscriptions to be determined by a majority of the incorporators; but should such majority fail to fix such times and places, they may be fixed by any four of the corporators hereinbefore named, they having first given due notice of the same in any newspaper published in Beaufort or Charleston Counties; and said subscription books shall be kept open for twenty days from such time, and at such places, as said corporators may determine. When fifty
- Notice to be given when certain amounts are subscribed.** thousand dollars shall have been subscribed, the said corporators, or any four of them, shall give notice, by publication for at least ten days, of the time and place of meeting for organization.
- Corporation entitled to privileges conferred on Port Royal R. R. Company.** SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, with all the rights, powers and privileges conferred upon the "Port Royal Railroad Company," by an Act entitled "An Act to charter the Port Royal Railroad Company," ratified December the 21st, A. D. 1857: *Provided*, That nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1 of Chapter 63 of the General Statutes.
- Issue of bonds.** SEC. 4. That said "Bull River and Port Royal Railroad Company" shall have power to mortgage its property and franchises, and issue bonds, at such rates of interest, and upon such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient.

SEC. 5. That no other railroad shall be constructed with a terminus or point of beginning within ten miles of the line of said "Bull River and Port Royal Railroad" for a period of ten years.

A. D. 1872.

No railroad to be constructed within ten miles of line of said road.

SEC. 6. That the said company shall have the right to build bridges across navigable rivers: *Provided*, They shall put in good and sufficient draws, and shall construct necessary stations and turn-outs, and shall have one or more tracks to the road, with such gauge as will correspond with that of the "Port Royal Railroad."

May build bridges.

SEC. 7. Nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

SEC. 8. Said railroad shall be commenced within one year, and completed within seven years, after the passage of this Act.

Approved March 12, 1872.

AN ACT TO RENEW AND AMEND THE CHARTER OF ERSKINE COLLEGE, AT DUE WEST, IN ABBEVILLE COUNTY, S. C. No. 116.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. J. Boyce, D. D., Rev. W. M. Grier, J. L. Miller, J. W. Hearst, P. H. Bradley, W. K. Bradley, D. O. Hawthorne, J. L. Pressley, W. S. Lowry, Wm. Hood, Rev. J. N. Young, Rev. J. I. Bonner, J. P. Kennedy, Rev. J. P. Pressley, D. D., Rev. J. C. Chalmers, Rev. H. T. Sloan, J. Pratt, Rev. R. A. Ross, Rev. R. Latham, R. C. Sharp, Rev. R. A. Fair, R. W. Lites, Rev. J. Galloway, Rev. R. W. Brice, J. Neil, James Lowry, Rev. J. C. Boyd, Rev. W. L. Pressley, S. Donald, R. R. Hemphill, and their successors in office, be, and they are hereby, created a body politic and corporate, by the name and style of the "Trustees of Erskine College," a seminary of learning, situated at Due West, in Abbeville County, in the State of South Carolina; and as such, and by said name, shall be capable and liable, in law and equity, to sue and be sued, plead and be impleaded; to use a common seal; and to make such by-laws and rules for the regulation and government of said college, as they may deem necessary: *Provided*, That said by-laws and rules be not repugnant to the Constitution and laws of this State, or of the United States.

Corporators.

Corporate name.

General powers.

SEC. 2. That Sections 2, 3, 4, 5 and 6 of an Act entitled "An Act to charter and incorporate Erskine College, at Due West, in

A. D. 1872.

Abbeville District," ratified December 20, 1850, be, and the same are hereby, continued in force.

SEC. 3. This Act shall be taken and deemed to be a public Act, and continue in force until repealed.

Approved March 12, 1872.

No. 117. AN ACT TO CHANGE THE NAMES OF TYRRELL WILLARD AND IDA WILLARD, AND MAKE THEM THE LEGAL HEIRS OF T. J. JONES.

Preamble. Whereas it is the desire of the mother of two children, bearing the names of Tyrrell Willard and Ida Willard, to have their names changed, and that they should become the legal heirs of T. J. Jones; and whereas it is also the desire of T. J. Jones to adopt said children and make them his legal heirs; now, therefore,

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Tyrrell Willard and Ida Willard be changed to that of Tyrrell Jones and Ida Jones, and that they be declared the legal heirs of T. J. Jones.

Approved March 12, 1872.

No. 118. AN ACT TO INCORPORATE THE COLUMBIA ARTIFICIAL STONE AND CEMENT COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. M. Stoeber, A. Falk, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Columbia Artificial Stone and Cement Company, with a branch at Charleston, S. C., for the purpose of manufacturing artificial stone and cement, with a capital of five thousand dollars, with the privilege to increase—the consent of the stockholders first had and obtained.

SEC. 2. That the said company shall have such officers as shall be ordained and chosen by the rules and by-laws to be made for their government, and shall have power and authority to make all

rules and by-laws, not repugnant to the laws of the land ; to regulate the issue of script and transfer of shares ; to have and keep a common seal, and the same to alter at will ; to sue and be sued, plead and be impleaded, in any Court of law or equity ; to purchase, take and hold, sell and alien, in fee simple, or for any less estate, lands, tenements, hereditaments, goods, chattels, rights and credits, which may be connected with, or in any manner conducive to, the purposes for which said company is established : *Provided*, That this company shall enjoy all the privileges, and be subject to all the liabilities and restrictions, of the Act entitled "An Act to regulate the formation of corporations."

A. D. 1872.

SEC. 3. That the State of South Carolina give and grant to the above named company the right to dig and remove, for the term of twenty years, from the beds of streams and waters within the jurisdiction of the State of South Carolina, the gravel, sand and shell lime there deposited : *Provided*, That the persons named, and their associates, shall not, in any way, interfere with the free navigation of the streams of the State, or dig, mine, or remove any phosphate rock or phosphates, or to interfere with the private rights of any citizen residing upon, or owning the lands upon, the banks of the said rivers : *And it is further provided*, That said company shall pay into the State Treasury, on the first Monday of April in each year, a royalty of twenty dollars, as compensation for the within privilege, if exercised by the grantees.

Empowered
to dig and re-
move gravel,
sand, &c.,
from beds of
rivers.

Royalty.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE ORANGEBURG COUNTY FAIR ASSOCIATION.

No. 119.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. F. Barton, Samuel Dibble, Harpin Riggs, Laurence R. Beckwith, Wesley W. Culler, James D. Trezevant, Benjamin Byas, J. L. Jamison, Henry Johnson and T. K. Sasportas, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic, in law and in deed, by the name of the "Orangeburg County Fair Association," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change the same as often as the said corporation shall judge expedient ; and the said corporation shall be liable and capa-

Corporators.

Corporate
name.Powers and
privileges.

A. D. 1872.

ble in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value fifty thousand dollars, and the same, or any part thereof, to sell, alien, devise or exchange as often as the said corporation may deem proper; and, by its name, to sue and be sued, implead and be impleaded, answer and be answered, in any Court of law in this State; and to make all such by-laws and rules for the government of the said corporation as may, from time to time, be deemed necessary: *Provided*, Such by-laws and rules be not repugnant to the laws of the land.

Objects of corporation.

SEC. 2. That the principal end of the said corporation shall be the promotion of agriculture, mechanical arts, and other industry and ingenuity, through an annual Fair, and other appropriate measures, according to such rules and regulations as they may see fit to establish.

Liability of members.

SEC. 3. That the members of the said corporation shall be, severally, liable for all debts and contracts of said corporation only to the extent and amount of their respective shares therein; and the capital stock of the said corporation shall not be less than five thousand nor more than fifty thousand dollars.

Property exempt from taxation.

SEC. 4. That the property and stock of the said corporation shall be exempted from County and municipal taxation, so long as no dividends shall be declared and distributed among its members.

SEC. 5. That this Act shall be deemed a public Act, and shall be taken notice of in all the Courts of this State without being specially pleaded.

Approved March 12, 1872.

No. 120. AN ACT TO INCORPORATE THE TRACTION STEAM ENGINE COMPANY, OF THE CITY OF COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard Tozer, John Bratton, Edward Hope, George Symmers, T. W. Woodward, George Dial, J. McKenzie, S. H. Spencer, William Simons, A. Goodson, W. B. Nash, F. J. Moses, Jr., William Green, James Davis, S. B. Thompson, R. Tarlton, together with such other persons who now are, or hereafter may be, associated with them, be,

and are hereby, incorporated and declared a body politic and corporate, under the name and style of the Traction Steam Engine Company, of the City of Columbia, for the purpose of manufacturing, selling, and using the same, and also for the transaction of all such business as may be connected with the same. The capital stock shall consist of twenty thousand (20,000) dollars, in shares of fifty (50) dollars each, with the privilege to increase it to any extent not exceeding fifty thousand (50,000) dollars, with the consent of a majority of the stockholders being first had and obtained.

A. D. 1872.
 Corporate
 name.
 Purposes of
 corporation.
 Capital.

SEC. 2. That the said corporation shall have such number and succession of officers and members as shall be ordained and chosen according to the constitution, rules and by-laws made, or to be made, by the said corporation for its government; and shall have power and authority to make any such constitution, rules or by-laws, as are not repugnant to the Constitution and laws of the land; shall have and keep a common seal, and alter the same at will; shall sue and be sued, plead and be impleaded, in any Court of law in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies.

Powers and
 privileges.

SEC. 3. That the said company shall be empowered to purchase, retain and enjoy all such property, real and personal, as it may possess, be entitled to, or which shall hereafter be given, bequeathed to, or in any manner be acquired by it, and to sell, alien, or transfer the same.

May hold
 and dispose of
 property.

SEC. 4. That the said company shall have the power to erect machine shops, and other buildings necessary to carry on the said business. That they shall have the power to use such engines in any part of the State of South Carolina, for the purpose of drayage, carrying passengers, or cultivating land, and may use the same in any incorporated city: *Provided*, No damage to life or property ensues: *Provided*, That said corporation shall be liable for the payment of any and all damages done to life and property.

Power to
 erect ma-
 chine shops
 and use en-
 gines.

Proviso.

SEC. 5. That the said company may open books for subscriptions to the capital stock in the city of Columbia, or elsewhere, at their discretion.

Subscription.

SEC. 6. That the private as well as the corporate property of the corporators shall be liable for all debts contracted for the corporation by its authorized agents.

Liability of
 corporators.

SEC. 7. That the said corporation shall have a legal existence from the time of the passage of this Act, and this Act shall continue in force until repealed.

A. D. 1872.

AN ACT FOR THE PROTECTION AND PRESERVATION OF USEFUL ANIMALS.

No. 121. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall not be lawful for any person in this State to kill any deer, or worry them with dogs, or otherwise, with the intention of destroying them, between the first day of January and the first day of September, in any year hereafter.

Killing or worrying of deer unlawful.

Penalty for violating said provision.

SEC. 2. That any person violating the foregoing provision of this Act, shall, upon conviction thereof, be fined not less than twenty dollars, or be imprisoned not less than twenty days, which fine, if imposed, shall be recoverable before any Court of competent jurisdiction; one-half thereof shall go to the informer, and the other half thereof to the school fund of the said County.

Persons having in their possession, &c., liable as above.

SEC. 3 That any person in whose possession recently killed venison, or fresh deer skins, shall be found, between the dates above mentioned, shall be liable to the same penalty as those violating Section 2 of this Act.

Killing or injuring certain game unlawful.

SEC. 4. That it shall not be lawful for any person, in this State, between the 15th day of February and the 15th day of October, in any year hereafter, to catch, kill, or injure, or to pursue, with such intent, or sell, or expose for sale, any wild turkey, partridge, dove, wood-cock, snipe or pheasant; and any person found guilty thereof shall be fined not less than ten dollars, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half thereof to the informer, and the other half thereof to the school fund of the County where the offense was committed.

Penalty.

Shooting or entrapping certain birds unlawful.

SEC. 5. That it shall not be lawful for any person, in this State, to wantonly shoot, or entrap, for the purpose of killing, or in any other manner destroy, any bird whose principal food is insects, or take or destroy the eggs or young of any of the species or varieties of birds that are protected by the provisions of this Act, comprising all the species and varieties of birds represented by the several families of swallows, bats, whip-poor-wills, fly-catchers, thrashers, warblers, finches, larks, orioles, nut-hatchers, wood-peckers, humming birds, mocking birds, blue birds, red birds and robins, and all other species and varieties of land birds, whether great or small, of every description, regarded as harmless in their habits, and whose flesh is unfit for food, including the turkey buzzard, but excluding the jackdaw, the crow, the crow blackbird, the eagle, and all hawks and owls, which prey upon other birds; and any person violating the provisions of this Section shall, on conviction thereof, forfeit and pay a

fine of ten dollars, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half to the informer, and the other half thereof to the school fund of the County in which the offense was committed: *Provided*, That no person shall be prevented from protecting any crop of fruit or grain on his own lands from the depredations of any birds herein intended to be protected.

A. D. 1872.

Penalty.

SEC. 6. Whenever a person shall have made or created an artificial pond on his own land, and shall put therein any fish, or the eggs of ponds.

any fish or oyster, for the purpose of breeding and cultivating fish or oysters, and shall give notice thereof, by written or printed handbills, put up in public places near said pond; and any person who shall thereafter enter in or about such pond for the purpose of fishing, or shall catch or take away any fish or oysters therefrom, or shall be guilty of committing any trespass upon any artificial fish pond by fishing in the same, or in any manner using any means to destroy the fish or oysters raised or collected in such pond, or by breaking the dam or dams for the purpose of permitting the fish or oysters to escape, or by poisoning the same, or in any manner destroying or injuring the same; and any such person or persons, upon conviction, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than twenty dollars nor more than one hundred dollars, or be imprisoned at the discretion of the Court; which fine, if imposed, shall go one-half thereof to the informer, and the other half thereof to the person or persons whose property shall have been injured: *Provided*, That nothing in this Section shall be construed as applying to ponds used as water power for manufacturing purposes.

Penalty
for fishing or
trespassing
in any man-
ner.

SEC. 7. That it shall not be lawful for any person in this State, after the first day of April, (1872,) to take any trout from the streams thereof, by impregnating the waters with poisonous or deleterious substances; and any person violating this provision shall, upon conviction thereof, be fined ten dollars for every such offense, or be imprisoned not less than ten days, which fine, if imposed, shall go one-half thereof to the informer, and the other half to the school fund of the County in which such offense shall have been committed.

Poisoning
waters of
streams un-
lawful.

Penalty.

SEC. 8. This Act shall take effect from and after its passage.

Approved March 12, 1872.

A. D. 1872.

No. 122.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY."

Apportion-
ment of Rep-
res. ntatives.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5th of an Act entitled "An Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County," be amended by striking out all after the word "the," in the second line, and inserting "Counties of Aiken, Barnwell, Edgefield, Lexington and Orangeburg shall be as follows in the House of Representatives: Aiken, four members; Barnwell, four; Edgefield, five; Lexington, two; and Orangeburg, five."

Approved March 12, 1872.

No. 123. AN ACT TO RENEW AND AMEND THE CHARTER OF THE SAINT ANDREW'S LUTHERAN CHURCH, OF LEXINGTON COUNTY.

Charter re-
newed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to incorporate certain companies and societies," passed on the 20th day of December, Anno Domini 1837, as relates to the Saint Andrew's Lutheran Church, of Lexington County, be, and the same is hereby, re-enacted: *Provided*, That the said society be hereafter known by the name of the Saint Andrew's Lutheran Church, of Lexington County.

SEC. 2. *And be it further enacted*, That this Act shall be deemed a public Act, and continue in force for the term of fourteen years.

Approved March 12, 1872.

No. 124. AN ACT TO EMPOWER FATHERS TO LEGITIMIZE CERTAIN CHILDREN BY LAST WILL AND TESTAMENT.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

and by the authority of the same, That white fathers of children born of black or colored mothers, who were formerly held as slaves, either during the time of such mothers' servitude, or since emancipation, the cohabitation between the parents of such children being still continued, be, and the same are hereby, authorized to so far legitimize such children, by last will and testament, as to enable them to inherit, possess and enjoy all rights, titles and hereditaments, the same as lawful children born in wedlock: *Provided, however,* That no such father may have been married during, at any time previous, whose wife was then living, or who since may have broken off such cohabitation for the purpose of marriage, or any other cause, shall be entitled to the power conferred by the provisions of this Act.

A. D. 1872.

Legitima-
tizing certain
children born
out of lawful
wedlock.

Proviso.

Approved March 12, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY," PASSED SEPTEMBER 15, 1868, AND ALL ACTS AMENDATORY THERETO. No. 125.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 108 of the Act entitled "An Act providing for the assessment and taxation of property," passed September 15, 1868, be, and the same is hereby, altered and amended, by striking out all the proviso, after the words "delinquent land sale," in the twelfth line; that Section 114 of the same Act be amended by striking out the words "two years," and inserting, in lieu thereof, the words "ninety days;" that Section 116 of the same Act be, and the same is hereby, amended by striking out the words "two years," whenever the same appears therein, and insert, in lieu thereof, the words "ninety days;" that Section 117 of the same Act be, and the same is hereby, amended by striking out the words "one year," whenever the same may appear therein, and insert, in lieu thereof, the words "thirty days;" and by striking out the words "two years," whenever the same appears therein, and insert the words "ninety days," in lieu thereof; that Section 123 of said Act be, and the same is hereby, amended by striking out the words "two years," whenever the same may occur therein, and insert, in lieu thereof, the words "ninety days."

"Two years" stricken out wherever it appears, and "ninety days" inserted.

A. D. 1872.

Penalty for recording conveyance in Register of Mesne Conveyance office prior to its being placed on record in office of County Auditor.

SEC. 2. That so much of the Act entitled "An Act to further amend an Act entitled 'An Act providing for the assessment and taxation of property,'" passed March 8, 1871, as provides that all deeds of conveyances of real estate shall be placed on record in the office of the County Auditor before the same can be placed on record in the office of the Register of Mesne Conveyance, be, and the same is hereby, amended by adding the following, viz: And for each and every violation of this provision by a Clerk of Court or Register of Mesne Conveyance, he shall, upon conviction, before any Court of competent jurisdiction, be fined in a sum of not less than five dollars, nor more than twenty dollars, and the costs of the action; one-half of said fine to be paid into the County Treasury for the benefit of the County, and the other half to be paid to the County Auditor.

Forfeited lands to be advertised, sold, and warranty deeds given.

Proceeds to be forwarded to State Treasurer.

SEC. 3. That all lands which have been forfeited to the State under the provisions of the Act providing for the assessment and taxation of property, passed September 15, 1868, and other Acts amendatory thereto, shall be advertised by the County Auditor, in manner provided by Section 107 of said Act, and sold by the County Treasurer to the highest bidder; and the County Auditor shall execute a "warranty deed" to the purchaser. The proceeds of the sale, after deducting fees allowed by law, and paying the County the amount of taxes and penalties due from such land, shall be forwarded to the State Treasurer by the County Treasurer, and shall be credited to the County from which it is received on account of the forfeited lands.

Time for sale of said lands.

SEC. 4. That all lands and real estate within this State, whereupon, or in respect whereof, any sum of money remains due or payable after the sale provided for in Section 15, Chapter XIII, Title III, of General Statutes, or which are liable to be sold for, or on account of, any tax laid by or under the authority of this State, for State or County purposes, in accordance with the provisions of either of the several Acts for the purpose of assessing and levying taxes for the support of the Government of the State and of the several Counties thereof, passed in the years 1868, 1869, 1870 and 1871, shall be exposed to sale, and sold for the payment of such taxes, and all penalties, costs and charges thereon accrued, on the first Monday in June, 1872, and, from day to day thereafter, Sundays only excepted, until the whole thereof shall be sold, at the place or places, on the terms and in the manner hereinafter provided; such sale shall be by the County Treasurer of each County, at the County seat, who shall expose and offer the said lands at public sale, to be sold and conveyed in fee simple, without any right of redemption, for the

payment thereof. If no person shall, at said sale, offer to purchase or take a less quantity of the lands so charged and offered than the whole thereof, at and for the amount so charged for the taxes, penalties, costs and charges, the said County Treasurer shall declare that the State is the purchaser thereof, at and for the amount so charged; and, thereupon, the State shall become invested in fee simple with the title to said lands, and the appurtenances and all the improvements thereon. If, at said sale, any person shall publicly offer to take a less portion than the whole of said lands, for the said taxes, penalties, costs and charges, then the said lands shall be sold to such person as shall offer to take the smallest portion thereof, and pay the same; and, upon the payment of the amount so due to said County Treasurer, said officer shall execute and deliver to the said purchaser a certificate, setting forth the fact of such purchase, and the payment of the amount bid; and, thereupon, the said purchaser shall be entitled to the grant from the State of the undivided right, title or interest, in fee simple, without redemption, in and to all the lands so sold and all lands belonging to any person or persons or corporation against whom such tax was levied and assessed, equal to the proportion which the amount bid holds to the whole of said lands so purchased, and the purchaser shall be entitled to demand partition thereof according to law; and, on such partition, the said purchaser shall be entitled to a proportional share and interest in all improvements thereon. In addition to the sums now assessed and chargeable upon said lands, there shall be added, at the time of said sale, five per centum of the amount of said taxes, penalties, costs and charges; which said sum is hereby appropriated for the payment of the expenses of said sale, and the collection of the moneys thereon. One-half of one per cent. to be for the use of the County, and the balance to be paid into the State Treasury. If any person to whom such lands shall be struck off shall fail forthwith to pay the amount bid therefor, said County Treasurer shall immediately expose and offer such lands for re-sale, as if no such previous sale had taken place. The County Treasurer shall make weekly remittances of all funds received, according to the provisions of this Act, to the State Treasurer, and shall forward monthly accounts for said funds to the State Treasurer.

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If no one purchases said lands, State to be declared purchaser.

County Treasurer to give certificate of purchase.

Five per centum added to costs, &c. to pay expenses of sale.

Re-sale.

Weekly remittance to be made to State Treasurer.

Governor to publish this Act.

SEC. 5. It shall be the duty of the Governor to cause this Act to be published in such manner as shall, in his judgment, be requisite to give full information hereof; the expense of such publication to be paid or reimbursed out of the funds authorized hereby to be charged as the expenses of said sale.

A. D. 1872.

Duty of
County Audit-
ors.

SEC. 6. It shall be the duty of each County Auditor of each County to exhibit the tax books thereof, showing all delinquent taxes herein provided for, for sixty days next preceding such sale, and all persons shall be entitled to inspect the same, between the hours of 9 o'clock A. M. and 12 M. of each day, Sunday excepted; and it shall be his duty to attend said sale, with the said tax books, and to furnish to said County Treasurer, and all persons requiring the same, such information as the records of his office may afford relative to the matter involved in said sale; and, upon the delivery of the Treasurer's certificate of sale, to execute a deed in accordance with Section 33, Chapter XIII, Title III, of the General Statutes of South Carolina.

County Au-
ditor to exe-
cute titles.

SEC. 7. That this Act shall take effect from and immediately after its passage; and that all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 12, 1872.

No. 126. AN ACT TO INCORPORATE THE CHARLESTON LOAN ASSOCIATION,
OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel

Corporators. E. Gailliard, F. H. Frost, W. A. Grant, M. J. Hirsch, O. R. Levy, A. P. Ford, W. H. Jones, Jr., James A. Bowley, together with such other persons as now are, or hereafter may be, as-

Purpose of
corporation.

sociated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Charleston, or any point within the State of South Carolina, and making loans of money, secured by mortgages on real estate, and the hypothecation of bonds, stocks and other choses in action, and personal property; to its members and stockholders, by the name and style of the "Charleston Loan Association, of the City of Charleston." The capital stock of said association to consist of two thousand five hundred shares; but, as soon as one thousand shares shall have been subscribed thereto, the said association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be sub-

Capital stock.

When asso-
ciation may
commence
operations.Default in
payments,
penalty for.

ject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

A. D. 1872.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen, according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

Powers and privileges.

SEC. 3. That the funds of the said association shall be invested either in the purchase of real estate, in the County of Charleston, South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out or leased, or sold and conveyed, to the members and stockholders of said association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in Charleston or the State aforesaid, or bonds, stocks or choses in action, or personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by and conveyed to it; or as may be mortgaged to it, by way of security, upon its loans and advances; or as may be by, or transferred and conveyed to it at sales under judgments or decrees of law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

Funds of the association, how to be disposed of.

May hold property for its stockholders.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested and unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether of mortgage or real estate, choses in action, or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year.

Unproductive funds, how to be disposed of.

SEC. 5. That whenever the funds and assets of the said association

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 Division of
 funds and as-
 sets.

shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 6. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved March 12, 1872.

No. 127. AN ACT TO RE-CHARTER MOUNTAIN LODGE, No. 15, OF THE INDEPENDENT ORDER OF ODD FELLOWS, OF GREENVILLE COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons who now are, or hereafter may become, members of Mountain Lodge, No. 15, of the Independent Order of Odd Fellows, of Greenville County, South Carolina, be, and the same are hereby, declared and constituted a body politic and corporate, by the name and style above assigned.

Powers and
 privileges.

SEC. 2. The Lodge aforesaid shall have succession of officers and members, according to its by-laws; and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, in any Court of this State; and to have and enjoy every right incident to incorporations. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by it; and to sell, alien or transfer the same: *Provided,* The amount so held shall in no case exceed the sum of twenty thousand dollars.

SEC. 3. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 12, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO SECURE ADVANCES FOR AGRICULTURAL PURPOSES."

A. D. 1872.

No. 128.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to secure advances for agricultural purposes," approved the twentieth day of September, A. D. 1866, be amended by inserting, in the fourth line of the first Section, between the words "supplies" and "to," the words "advances of medicines or medical attendance by any physician."

Amendment.

SEC. 2. That all the provisions and remedies in said Act, relating to persons who advance supplies for agricultural purposes, shall apply to persons advancing medicines or medical attendance as a physician, and also to blacksmiths who claim liens for work performed on plantation blacksmiths' tools; who pursue their trade or calling not within the limits of any incorporated city, town or village within this State: *Provided*, That the fee for each and every visit by a physician shall not exceed one dollar, and ten cents per mile, which price shall embrace the prescription.

Physicians and blacksmiths entitled to provisions of said Act.

Physicians' fees limited.

Approved March 12, 1872.

AN ACT TO CHARTER THE BIG BAY AND ADAMS' RUN (NARROW GAUGE) RAILROAD COMPANY.

No. 129.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a Railroad Company from Big Bay, with a lateral branch to Eddings' Bay, Edisto Island, to run in the most feasible and direct route to Adams' Run, intersecting the Charleston and Savannah Railroad at the above points, that a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted to, and vested in, John Wright, Henry Weldon, Carl Berlin, George Marstella, A. Berg, and their associates; and when a company shall be formed in compliance with the conditions herein prescribed, it shall be known by the name of Big Bay and Adams' Run Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.

Purpose of charter.

In whom vested.

Title.

SEC. 2. That the capital stock of said company shall be two hundred thousand dollars, in shares of twenty-five dollars each; and,

Capital stock.

A. D. 1872.
 Books of
 subscription.

in order to raise the said capital stock, it shall be lawful to open books of subscription in such places, and at such times, as may be deemed for the best interest of the corporation, under the direction of the corporators—the times and places for receiving such subscription to be determined by a majority of the corporators; but should such a majority fail to fix such times and places, then such times and places may be fixed by any three of the corporators hereinbefore named, having given due notice of the same in any newspaper of the State; and the subscription books shall be kept open for thirty days from such times, and at such places as said corporators may determine; that, on each share of stock subscribed, the said subscribers shall pay two dollars to the corporators, who shall deposit it in some National or State Bank. When ten thousand dollars shall have been subscribed, the corporators, or any three of them, shall give notice, by publication for at least ten days, of the time and place of meeting.

Notice to be
 given.

Railroad
 from Adams'
 Station to
 Edisto Bay.

SEC. 3. That they are hereby authorized to build a railroad from Adams' Run Station, on the Charleston and Savannah Railroad, to Big or Edding's Bay, Edisto Island, South Carolina, with one or more tracks: *Provided*, They do not obstruct any regular mail or passenger trains on any road, or obstruct the navigation on any navigable stream over which the road aforesaid may have to cross; that good and sufficient draw bridges are to be built by the said corporation, should necessity require the same to be done: *Provided, further*, That said road shall be subject to the provisions of an Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement, ratified September 22, 1868.

Approved March 12, 1872.

NO. 130. AN ACT TO AMEND AN ACT ENTITLED "AN ACT PROVIDING FOR THE GENERAL ELECTIONS, AND THE MANNER OF CONDUCTING THE SAME."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all general and special elections, held pursuant to the Constitution of this State, shall be regulated and conducted according to the rules, principles and provisions herein prescribed.

SEC. 2. The Commissioners of Election shall provide one box for each election precinct. An opening shall be made in the lid of the box, not larger than shall be sufficient for a single ballot to be inserted therein at one time, through which each ballot received, proper to be placed in such box, shall be inserted by the person voting, and by no other. Each box shall be provided with a sufficient lock, and such box shall be publicly opened and inspected, to see that it is empty and secure, and then locked just before the opening of the poll, and the keys returned to the Managers, and shall not be opened during the election. Each box for such precinct shall be labelled as follows: "Congress," "State," "Circuit," and "County Officers."

A. D. 1-72.

Ballot boxes.

SEC. 3. At the close of the election, the Managers and Clerk shall immediately proceed, publicly, to open the ballot box and count the ballots therein, and continue such count, without adjournment or interruption, until the same is completed, and make such statement of the result thereof, and sign the same, as the nature of the election shall require. If, in counting, two or more like ballots shall be found folded together compactly, only one shall be counted, and the others destroyed; but, if they bear different names, the same shall be destroyed, and not counted. If more ballots shall be found, on opening the box, than there are names on the poll list, all the ballots shall be returned to the box and thoroughly mixed together, and one of the Managers, or the Clerk, shall, without seeing the ballots, draw therefrom, and immediately destroy, as many ballots as there are in excess of the number of names on the poll list. Within three days thereafter, the Chairman of the Board of Managers, or one of them, to be designated in writing by the Board, shall deliver to the Commissioners of Election the poll list, the boxes containing the ballots, and a written statement of the result of the election in his precinct.

Manner
of counting
votes.Managers to
deliver box,
poll list, &c.,
to Commis-
sioners.

SEC. 4. After the final adjournment of the Board of County Canvassers, and within the time prescribed in this Act, the Chairman of said Board shall forward, addressed to the Governor and Secretary of State, by a messenger, the returns, poll list, and all papers appertaining to the election. The said messenger to be paid his actual expenses upon a certificate to be furnished him by the Secretary of State. Said certificate shall be paid out of the funds provided for the payment of Commissioners and Managers of Election.

Returns, &c.,
to be sent by
messenger.Payment of
messenger.

SEC. 6. All Acts or parts of Acts in any way conflicting with this Act are hereby repealed.

Approved March 12, 1872.

A. D. 1872

No. 131.

AN ACT TO INCORPORATE THE SOUTH CAROLINA AGRICULTURAL COLLEGE AND MECHANICS' INSTITUTE.

Agricultural
College estab-
lished.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a College and Institute of Mechanical Arts be established at Orangeburg, in connection with the Claflin University, to be called the South Carolina Agricultural College and Mechanics' Institute, in accordance with the provisions of the Act of Congress, passed July 2. 1862, and all Acts amendatory thereto. The design of the Institution shall be to afford instruction in practical and theoretical agriculture, mechanical art and military tactics and training.

Trustees,
election of.

SEC. 2. That the supervision and control of the institution aforesaid shall be vested in a Board of Trustees, in connection with the Board of Trustees of the Claflin University, to be known by the name, style, and title of the Board of Trustees of the South Carolina Agricultural College and Mechanics' Institute; said Board shall consist of nine (9) members, and shall be chosen by joint ballot of the General Assembly: *Provided*, That the first Board of Trustees shall be appointed by the Governor, as follows: The first three shall be elected for a term of three (3) years; the second three for two (2) years; and the third three for one (1) year; and the General Assembly shall, annually thereafter, elect, by joint ballot, three (3) members of each Board, whose term of office shall be three (3) years; said Board may elect its own Chairman. The Trustees thus appointed and elected shall, in connection with those of the Claflin University, constitute one Board, and may elect a Chairman. A majority of the Board shall constitute a quorum for the transaction of business. They shall receive no compensation, but shall be paid their traveling and other expenses while employed on the business of the Board.

Term of of-
fice.Shall re-
ceive no com-
pensation.General pow-
ers.

SEC. 3. The said Board of Trustees shall be a body corporate, capable in law of suing and being sued, holding and selling real, personal and mixed property, of contracting and being contracted with, of having and using a corporate seal, and of causing all things to be done to carry out the purposes of this Act.

Vacancies,
how filled.

SEC. 4. Should any vacancy occur in said Board of Trustees, it shall be filled by the remaining members of the Board.

Organization.

SEC. 5. It shall be the duty of the Board of Trustees to meet and organize, within thirty days after the passage of this Act, at the call of the Governor of the State, or of any two members of the Board.

SEC. 6. The Legislature shall appoint a Board of Visitors bi-ennially, who shall report each year upon the condition and efficiency of this Institution.

A. D. 1872.

Board of
Visitors.

SEC. 7. The Board of Trustees shall appoint a Secretary and Treasurer, neither of whom shall be a member of said Board. These officers shall be required to give such bond as will secure a safe administration of their duties. The Secretary shall also fill the office of general Superintendent of this Institution, upon whom shall devolve a power of general administration over all the property of this corporation, for its better preservation and improvement, and who shall also have the power, at any time, to call a meeting of the Board of Trustees: *Provided*, That no power herein granted to the Secretary shall extend to making any material changes, except with the concurrence and authority of the Board of Trustees. The salaries of these officers shall be determined by the Board.

Secretary
and Treasurer,
powers
and duties of.

SEC. 8. Whenever the Board of Trustees report that they are organized, and prepared for action, the Governor shall execute a draft on the State Treasury for the amount of interest due on the fund invested under the provisions of the Act of Congress, and which shall be under their entire and exclusive control, as likewise shall all interest afterwards accruing from said fund. They shall, also, have full control of all moneys donated, appropriations, lands or property whatsoever, coming into the possession of this corporation.

Governor to
execute draft
for amount of
interest due
on fund.Said funds
and all others
under their
exclusive con-
trol.

SEC. 9. The Secretary shall reside on the grounds of the institution, and besides exercising a general supervision over all the property under his care, shall keep a complete system of records. He shall open correspondence with societies for the promotion of agriculture, and make use of such means to elicit information upon all industrial topics as shall be conducive to the material welfare of the College. He shall seek to obtain such contributions for the museums and library of said College as shall benefit the interest of agriculture and other industrial arts and sciences. He shall also keep a correct account of all the proceedings of the Board, and an accurate account of all the moneys received in the Treasury, as well as those paid out. The Secretary shall report to the Legislature at every regular session, which shall embrace all such statements, accounts, statistics, essays, and other information relative to agriculture, as may be valuable, and, also, the proceedings of the Board of Trustees of said College, to be approved by said Board.

Special du-
ties of secre-
tary.Shall annu-
ally report to
Legislature.

SEC. 10. The Board of Trustees shall procure a site for an experimental farm, of such size as they may deem necessary, to be located as near as practicable to the present location of the Claflin University, so as to combine, as much as possible, practical training with theoretical instruction in the science and art of agriculture. To carry

Trustees to
secure site for
experimental
farm.

A. D. 1872.

out the foregoing provision, the Board are authorized to expend a sum not to exceed one-tenth of the amount of the fund to which this State is entitled under the Act of Congress.

Admission
of students.

SEC. 11. Students shall be admitted into said College from each County, after a competitive examination among the scholars belonging to the public schools in such County, in proportion to the number of the representation in the Legislature. The time and manner of conducting said competitive examinations to be regulated by the Board of Trustees: *Provided*, That no Student shall be allowed to enter the College whose qualification is below the standard of the class to which he shall be assigned. Provision shall, also, be made for receiving Students from any school, or other source, whose qualification shall fit them for entering the classes to which admission is sought. Special Students who wish to pursue any particular branch, but who do not desire any degree, may be admitted to study under such terms as the Board shall regulate.

Course of
instruction.

SEC. 12. The course of instruction shall include the English language and literature, mathematics, civil, mechanical and military engineering, agricultural chemistry, mineralogy, animal and vegetable anatomy, and physiology, veterinary art, entomology, geology, political, rural and household economy, horticulture, moral and natural philosophy, history, book-keeping, military training and tactics, and especially the application of science and the mechanical arts to practical agriculture in the field.

College un-
sectarian.

SEC. 13. That the College shall not be controlled to serve sectarian or political party interests, but shall be conducted for the promotion of the general good of the State, as provided for in this Act and the Act of Congress of which this forms a part.

Current
expenditures
provided for.

SEC. 14. For the current expenditures of said College, certain sums of money shall be set aside in the hands of the Treasurer by the Board of Trustees, which shall be subject to the warrants of the Chairman of the Board, drawn in pursuance of the orders of the Board of Trustees. All incomes resulting from labor, or other sources, shall be paid into the Treasury of the College. All moneys due to the Institution; or received in its behalf, shall be collected and received by the Secretary, and deposited by him with the Treasurer of the State Board of Trustees, taking his receipt therefor. The Secretary shall, with his annual report, render a full and complete account of all moneys received, and all warrants drawn on the Treasurer by him as Secretary of the Board, and shall file and preserve all vouchers, receipts, correspondence, and other papers relating thereto.

Financial
report.

SEC. 15. The College shall have no connection whatever with, A. D. 1872.
nor be in any way controlled by, a sectarian denomination.

Approved March 12, 1872.

AN ACT TO ESTABLISH A PUBLIC FERRY IN FAIRFIELD COUNTY. No. 132.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry commonly known as "Rocky Mount Ferry," across the Catawba River, in Fairfield County, shall be, and the same is hereby, established a public ferry, and vested in James Johnson, his heirs, executors and assigns, until repealed, with the privilege of collecting the following rates of toll, to wit: For each wagon drawn by four horses, mules or oxen, seventy-five cents; for each wagon drawn by three horses, mules or oxen, sixty-five cents; for each wagon drawn by two horses, mules or oxen, fifty cents; for each wagon, carriage or buggy drawn by one horse, mule or ox, twenty-five cents; for each man on horseback, ten cents; for each foot passenger, five cents: *Provided*, That children going to and returning from school, and voters going to and returning from the polls on election day, shall be passed free.

Ferry vested
in Jas. John-
son.

Rates of toll.

Proviso.

Approved March 12, 1872.

AN ACT AUTHORIZING JAMES C. THOMPSON AND WIFE, ELIZABETH THOMPSON, TO ADOPT THE CHILD OF MARY COUCH, GIVE IT THE NAME OF JAMES LAWRENCE ORR THOMPSON, AND MAKE IT HIS LAWFUL HEIR. No. 133.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James C. Thompson and his wife, Elizabeth Thompson, be, and they are hereby, authorized and empowered to adopt the child of Mary Couch, to give it the name of James Lawrence Orr Thompson, and to make it their lawful heir.

Permitted
to adopt child
of Mary Couch

Approved March 12, 1872.

A. D. 1872.

• No. 134.

AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE SPARTANBURG AND AIKEN RAILROAD.

Whereas it is desirable that there should be a connection by railroad between the town of Aiken and the town of Edgefield, the village of Ninety-Six, and the towns of Laurens and Spartanburg, in this State; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized, for the purpose of constructing a railroad to connect the town of Aiken, the town of Edgefield, the village of Ninety-Six, the town of Laurens, and the town of Spartanburg, with the privilege of extending the same to the town of Hamburg, in such manner as may be determined by said company.

Objects of
corporation.

Books of
subscription,
under whose
direction.

SEC. 2. That for the purpose of raising the capital stock of said company, it shall be lawful to open books at the town of Spartanburg, under the direction of G. Cannon, J. H. Evans, Alfred Tolison, D. R. Duncan, S. Bobo and Joseph Walker; at the town of Laurens, under Y. J. P. Owens, J. W. Fowler, Joseph Crews, Dr. John Henry and H. L. McGowan; at the village of Ninety-Six, under Thos. Talbert, Dr. W. A. Limbecker, J. A. Stuart, Thomas Lake, Augustus Griffin and P. R. Rivers; at the town of Edgefield, under Lawrence Cain, M. L. Bonham, William T. Gary, A. J. Norris, Dr. John A. Barker and Parris Simpkins; at the village of Aiken, under J. N. Hayne, E. J. C. Wood, R. B. Elliott, C. D. Hayne, E. Ferguson, J. S. Shuck, P. G. Rockwell and Henry Sparnick; in the city of Augusta, under John J. Cohen, James A. Gray, Josiah Sibley, Charles W. Harris, Dr. J. A. Miller; and at such other places in the Counties of Spartanburg, Laurens, Abbeville, Edgefield and Aiken, and under the direction of such other person as the Commissioners in the respective Counties herein above named may designate, for the purpose of securing subscriptions to an amount not exceeding two million five hundred thousand dollars, in shares of one hundred dollars each, to constitute a joint capital stock, for the purpose of constructing and carrying into operation the said railroad, and, on each share of individual stock, the subscriber shall pay to the Commissioners, who shall be authorized to take the same, the sum of five dollars, lawful money of the United States.

Capital stock.

When may
meet to or-
ganize.

SEC. 3. That when the sum of one hundred thousand dollars shall have been subscribed, in the manner before specified, the subscribers shall be, and they are hereby, declared a body corporate, to be known by the name and style of the "Spartanburg and Aiken

Railroad Company," and may meet and organize said company, at such time and place as may be designated by the Commissioners for the town of Spartanburg, hereinbefore named.

A. D. 1872.

SEC. 4. That, for the purpose of organizing said company, all such powers as are conferred by the charter of the Greenville and Columbia Railroad Company, and the Commissioners at Greenville, shall be, and are hereby, conferred upon the Commissioners herein appointed at the town of Spartanburg; and all the powers, rights and privileges granted by the said charter and its amendments to the "Greenville and Columbia Railroad Company," shall be, and they are hereby, granted to the "Spartanburg and Aiken Railroad Company," and subject to like restrictions as are therein contained, except as to the capital stock, the sum necessary to authorize the organization, and the amount of shares, except so far as may be necessary to conform to the special provisions of this Act: *Provided, however,* That nothing herein contained shall be so construed as to bind the State to subscribe stock in said company, or make any appropriations to enable the said company to build said road, or in any manner to loan the credit of the State thereto: *Provided, further,* That nothing herein contained shall be so construed as to exempt the said company from the provisions of Section 1 of Chapter 43 of the General Statutes.

Entitled to
privileges,
&c., conferred
on Greenville
and Columbia
Railroad.

SEC. 5. That said company is authorized to receive subscription to its capital stock in lands or labor, as may be agreed upon between said company and said subscribers; and may acquire by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and the same to hold, use, sell, convey and dispose of as the interest of said company may require.

Subscrip-
tions may be
received in
land or labor.

Approved March 12, 1872.

AN ACT TO INCORPORATE THE GOWENSVILLE LODGE, No. 107, No. 135.
ANCIENT FREE MASONS, OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members that now are, or hereafter may be, their associates and successors, shall be known in law under the name and style of the Gowensville Lodge, No. 107, Ancient Free Masons, of the State of South Carolina, and, under their corporate capacity, to hold any personal or real estate, and to sell or dispose of the same at plea-

Corporators.

Title.

Powers and
privileges.

A. D. 1872.

sure; to sue and be sued, plead and be impleaded; that they may enjoy all the rights and privileges as granted to such like corporations by law, with liberty to have a common seal, and alter the same at will; to enact such rules and by-laws, for the government of their order, not repugnant to the laws of the land.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved March 12, 1872.

No. 136. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE WACCAMAW AND LITTE RIVER CANAL COMPANY."

When may
commence
business.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Waccamaw and Little River Canal Company," be, and is hereby, amended as follows: Strike out, on the fourth line, in Section 3, all after "as," and insert, in lieu thereof, "That said company may commence business as soon as fifty per cent. of its capital stock is subscribed, and ten per cent. of the same is paid up."

Right to use
waters, lands,
&c.

SEC. 2. Add to Section 6: "That the said company shall have the right to use or dispose of such portion of its waters, lands or other property, as it may see fit, for manufacturing, hydraulic, or other purposes."

Approved March 12, 1872.

No. 137. AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF PENDLETON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now reside, or may hereafter reside, in the village of Pendleton, shall be deemed, and are hereby declared, a body corporate and politic; and the said village shall

be called and known by the name of Pendleton ; and its limits shall be held and deemed to extend for one mile in every direction from the Farmers' Hall.

SEC. 2. That the said village shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in September, and continue in office until the second Monday in September next, or until their successors are qualified, on which day, as well as on the second Monday in September of every year thereafter, an election shall be held for an Intendant and four Wardens, at such place as the Intendant and Wardens shall designate, thirty days' notice being previously given ; and that all male inhabitants of the said village, who have attained the age of twenty-one years, and have resided therein three months previous to the election, shall be entitled to vote for the said Intendant and Wardens ; the election to be held from ten o'clock in the morning until two o'clock in the afternoon ; and when the polls shall be closed the Managers shall count the ballots, and proclaim the election, and give notice thereof, in writing, to the persons elected ; and that the Intendant and Wardens, for the time being, shall always appoint three Managers to hold the ensuing election ; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to wit : " As Intendant (or Warden) of Pendleton, I will support and defend the Constitution of the United States, and this State, and equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purpose of my appointment : So help me God."

SEC. 3. That, in case a vacancy shall occur in the office of Intendant or Wardens, by death, resignation, removal from office, or absence from the State, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, thirty days' previous notice being given ; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during the time.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices of this State, within the limits of the said village, except in trials of civil cases ; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Pendleton ; and they and their successors in office shall have a common seal, and shall have

A. D. 1872.

Limits.

Officers.

Election.

Electors.

Managers.

Oath of office.

Vacancies.

Judicial powers.

General powers.

A. D. 1872.

Constables.

power and authority to appoint, from time to time, such and so many proper persons to act as Constables as they shall deem expedient and proper, which Constables shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances, respecting the streets, ways, market and police of such village, as shall appear to them proper for the security, welfare and convenience of the village, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate them to the use of the corporation; but no fine shall exceed twenty dollars; and when fines shall exceed ten dollars, they may be recovered in the Court of Sessions for Anderson County; and when they are of the amount of ten dollars, or under, they may be recovered before the Intendant and Wardens: *Provided*, Nothing herein contained shall empower the said corporation to ordain or establish any by-laws or ordinances inconsistent with, or repugnant to, the laws of this State; and all such by-laws and ordinances shall, at all times, be subject to the revision or repeal of the Legislature.

Fines.

Nuisances.

SEC. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits, and to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now or may be hereafter established by law; and that the said Intendant and Wardens, or any of them, upon view thereof, or upon complaint lodged, on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before them, or him; and, upon an examination, shall either release, admit to bail, if the offense be bailable, or commit to jail, such offenders, as the case may require; and the Sheriff of Anderson County is hereby required to receive and keep the person so committed until discharged by due course of law. And that the said Intendant and Wardens shall, collectively and severally, have cognizance, within the said corporate limits, in all criminal cases, as Justices of the Peace and Quorum have according to law.

Licenses.

SEC. 6. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions, as they are now, or may hereafter be, under the laws of this State, except that the

Town Council shall have power to regulate the price of license to keep taverns and to retail spirituous liquors: *Provided*, That in no instance the price of a license so to keep tavern or retail spirituous liquors shall be fixed at a less sum than is established by the laws of the State; and all the powers formerly vested in the Commissioners of Roads are hereby granted to the said Intendant and Wardens within the said limits; and all moneys paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits without license, shall be appropriated to the use of said corporation.

A. D. 1872.

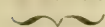
SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys, to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of the said corporation; and no person residing within the said limits shall be liable to work on any road without said limits, or to be taxed or assessed for the same.

Road duty.

SEC. 8. That the Town Council of Pendleton shall have power to impose an annual tax upon the keepers of billiard tables and ten-pin alleys, or any other pin alleys, within the discretion of said Council, and to grant or refuse license for the same, upon such terms and conditions, and subject to such regulations, as they may by ordinances establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owner or possessor of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares, merchandise, and also on the amount of income arising from all factorage and mechanical employments, faculties and professions, including the profession of dentistry: *Provided*, That no tax shall be imposed in any one year to exceed the rate of twenty cents on each hundred dollars of the value of such sales and income; and the said Town Council shall also have power to impose a tax upon all persons who shall open any room or car for the purpose of taking daguerreotypes or other likenesses, within the corporate limits of said town; and the said Town Council shall have the power to impose an annual tax, not exceeding twenty cents on every hundred dollars of the value of all real estate lying within the corporate limits of said town, the real estate of churches and school associations excepted; and for that purpose they shall appoint three freeholders, resident therein, to assess the value of said real estate, upon oath, and return the

Annual taxation.

A. D. 1872.



Executions.

New streets.

assessment, within one month, to said Council, for taxation, and to fill any vacancy occasioned by the death, resignation, refusal to serve, or removal from office of the said Assessors; and any person who shall refuse to act as Assessor, upon being appointed by the Council, may be fined any sum not exceeding twenty dollars; and the said Council shall have power to regulate the price of license upon all public shows and exhibitions in said town; and to erect a powder magazine, and to compel any person holding more than twenty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and delivering the same; and the said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property and persons of defaulters, to the same extent, and in the same manner, as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person specially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment of same in preference to other debts due by the persons owning such property at the time of the assessment, except debts due the State, which shall be first paid; that the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town, as they may deem necessary, by sale of the freehold therein, either at public or private sale, as they adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways, from time to time, as they may deem important or necessary for the improvement of said town: *Provided*, That no new street, road or way, shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

SEC. 9. That this Act shall be taken and deemed as a public Act in all Courts of Justice, and shall continue in force until repealed.

Approved March 12, 1872.

NO. 138. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF MOUNT PLEASANT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said

Town Council shall have power to borrow money for the public use of the corporation, by issuing, from time to time, as occasion may require, the bonds of said corporation, bearing interest at a rate not to exceed ten per centum per annum, to be paid semi-annually, for an amount not to exceed the sum of two thousand dollars; and for the payment of the interest, and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall, at all times, be liable: *Provided*, That the private property of the inhabitants of said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provisions of this Act.

A. D. 1872.

Bonds, issue
of, provided
for.

Proviso.

SEC. 2. That the corporate limits of the town of Mount Pleasant be, and the same is hereby, extended by continuing the eastern line of Boundary Street northwardly to Shem Creek, from which point the said creek and the waters of Charleston harbor shall be the boundary.

Limits ex-
tended.

SEC. 3. That the Town Council of Mount Pleasant shall have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of fifty cents on each hundred dollars of such assessed property; and that the money, so raised, shall be applied to the use of the said town. The said Town Council shall have the power to enforce the payment of all taxes, levied by the said Town Council, to the same extent, and in the same manner, as is now, or hereafter shall be, provided by law for the collection of the general State taxes.

Annual tax.

Executions.

SEC. 4. All Acts and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved March 12, 1872.

AN ACT LEGALIZING CERTAIN MARRIAGES, AND FOR OTHER PURPOSES THEREIN MENTIONED. No. 139.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons in the State of South Carolina who, previous to their actual emancipation, had undertaken and agreed to occupy the relation to each other of husband and wife, and are cohabiting as such, or in any way recognizing the relation as still existing at the time of the passage of this Act, whether the rites of marriage have been cele-

Conferring
on certain
persons the
rights and
privileges of
marriage.

A D. 1872.

brated or not, shall be deemed husband and wife, and be entitled to all the rights and privileges, and be subject to all the duties and obligations of that relation, in like manner as if they had been duly married according to law.

Legitimati-
zing certain
children.

SEC. 2. And all of their children shall be deemed legitimate, whether born before or after the passage of this Act; and when the parties have ceased to cohabit before the passage of this Act, in consequence of the death of the woman, or from other cause, all of the children of the woman recognized by the man to be his shall be deemed legitimate: *Provided, however,* That no provision of this Act shall be deemed to extend to persons who have agreed to live in concubinage after their emancipation.

Proviso.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 12, 1872.

No. 140. AN ACT TO INCORPORATE THE REEDY RIVER BAPTIST CHURCH,
OF GREENVILLE COUNTY.

Corporators.

Title.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. W. Roe, Stephen Marchbanks, Barnet Hawkins, and their associates and successors, are hereby made a body corporate and politic, under the name and style of the "Reedy River Baptist Church, of Greenville County," with all the powers and privileges vested in such like corporations by law; to sue and be sued, plead and be impleaded, in their corporate capacity; to have a common seal, and alter the same at will; to enact such rules and by-laws, for the government of their body, not repugnant to the laws of the land.

SEC. 2. This Act to be deemed a public Act, and continue in force until repealed.

Approved March 12, 1872.

No. 141. AN ACT TO INCORPORATE THE LANCASTER RIFLEMEN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. W. Cou-

sart, F. A. Clinton, A. Hutson, C. L. Jones, Randall H. Sapps, Wm. McKenna, J. F. G. Mittag and John Q. Cousart, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Lancaster Riflemen.

A. D. 1872.

Title.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land; and shall have succession of officers and members, according to their election; and to keep and use a common seal, and the same to alter at will; to sue and be sued in any Court of this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Powers and privileges.

SEC. 3. That the said corporation may, from time to time, invest the moneys, assets, or any property which it may acquire, in such real or personal property, lands, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

Investment of funds, &c.

SEC. 4. That this Act shall continue in force during fifteen (15) years, and may be given in evidence without being specially pleaded.

Approved March 12, 1872.

AN ACT TO RE-OPEN A PUBLIC HIGHWAY IN RICHLAND COUNTY. No. 142.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Richland be, and they are hereby, authorized to cause to be re-opened the old Gadsden Road, commencing at a point near Jones' Crossing, on the McCord's Ferry Road, and ending at the Gadsden Depot, on the South Carolina Railroad.

Gadsden Road re-opened.

Approved March 12, 1872.

A. D. 1872.

AN ACT TO INCORPORATE THE RIVERS GUARDS, OF HAMBURG,
SOUTH CAROLINA.

No. 143. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Williams, Lewis Cartledge, Cato McGraw, James Coleman, and their successors and associates, are hereby incorporated and made and declared a body politic and corporate, in deed and in law, by the name and style of the "Rivers Guards," of Hamburg, South Carolina; and, as such body politic and corporate, shall have power to make, use, have and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the Constitution and laws of this State; and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

Corporate name.

Powers and privileges.

SEC. 2. This Act shall be deemed and taken to be a public Act, and shall continue in force, from and after its passage, for the space of ninety-nine years.

Approved March 12, 1872.

No. 144. AN ACT TO PROVIDE FOR A UNIFORM SYSTEM OF SCHOOL
RECORDS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Superintendent of Education of the State of South Carolina be, and he is hereby, authorized to prepare and cause to be published and distributed a complete and uniform system of school records and blank forms, for the use of the officers and teachers of the free common schools of this State.

Uniform system of school records to be published and distributed.

SEC. 2. That, for the purpose of carrying out the provisions of Section 1 of this Act, the sum of seven thousand (7,000) dollars be, and the same is hereby, appropriated: *Provided*, That the same shall only be paid out on the order of the State Superintendent of Education: *And provided, further*, That no part of the said appropriation shall be used for any other purpose than is specified in this Act.

\$7,000 appropriated to pay for same.

SEC. 3. That this Act shall take effect immediately after its passage.

A. D. 1872.

Approved March 13, 1872.

AN ACT TO ESTABLISH AN INFERIOR COURT FOR THE TRIAL OF
CRIMINAL CASES IN THE COUNTY OF CHARLESTON.

No. 145.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be established in the County of Charleston an Inferior Court for the trial of criminal cases, to be called the Criminal Court of Charleston County, and which shall be organized by the Judge thereof, immediately after his election.

Criminal
Court estab-
lished.

SEC. 2. The Clerk of the Court of Common Pleas and General Sessions, and the Sheriff of the County, shall, respectively, be the Clerk and the Sheriff of the Criminal Court, and may act in person or by deputy. All prosecutions shall be conducted by the Attorney General or the Solicitor of the Circuit to which the County of Charleston may be attached. These officers shall receive the same fees as are now provided by law, and the Judge of the Criminal Court shall approve their bills for services rendered in the said Court in the same manner, and in like cases, as Judges of the Circuit Courts are now required by law.

Clerk and
Sheriff of the
Court of Com-
mon Pleas
to be Clerk
and Sheriff of
said Court.

Fees.

SEC. 3. The Judge of the Criminal Court, herein provided for, shall be elected by the General Assembly, at the present session, and immediately after the passage of this Act he shall qualify, in the same manner as the Circuit Judges, and shall hold his office for the term of four years, and until his successor is elected and qualified. He shall receive, from the Treasury of the State, a salary of two thousand five hundred dollars, payable in the same manner as the salary of Circuit Judges. He shall have power to practice as an attorney in all other Courts, except the Criminal Court.

Judge of
said Court—
election, qua-
lification,
term of office,
and compen-
sation of.

SEC. 4. The Criminal Court shall have exclusive appellate jurisdiction of all criminal causes from the Courts of Trial Justices for Charleston County, and exclusive original jurisdiction of all criminal causes less than capital, and not at present conferred by law upon the Courts of Trial Justices. In these cases, the same laws, fees, powers and practice shall prevail in the Criminal Court as in the Court of General Sessions, and the juries shall be drawn and empaneled in the same manner as is provided by law for the Court

Jurisdiction.

Drawing and
empanneling
of Juries.

A. D. 1872.

of General Sessions: *Provided*, That the grand juries drawn for the Court of General Sessions shall also be the grand juries in the Criminal Court.

Jurisdiction
in reference
to defaulting
jurors, con-
tempt, &c.

SEC. 5. The Criminal Court shall have the same power and jurisdiction as the Court of General Sessions in reference to defaulting jurors, estreating, recognizances taken in all causes within its jurisdiction, and punishing for contempt, and may issue rules, orders and attachments in the same manner and in like cases as the Court of General Sessions. The Judge of the Criminal Court shall *ex officio* have all the powers of a Trial Justice.

May execute
provisions of
Habeas Cor-
pus Act.

SEC. 6. That the Judge of the Criminal Court shall have power to execute the provisions of the *habeas corpus* Act, and shall also exercise jurisdiction under *habeas corpus* at Common Law, in all cases arising within the County of Charleston: *Provided*, That during the session of the Court of General Sessions for the said County, he shall exercise no Common Law jurisdiction under *habeas corpus*.

The Criminal
Court a
Court of Re-
cord.

SEC. 7. The Criminal Court shall be a Court of Record. It shall ordinarily sit in the Court Room of the County Court House, and when the Court House may be occupied by the Circuit Court, a suitable place near by shall be provided for its sittings by the County Commissioners. In case of an epidemic disease prevailing at the Court House, or for any other good cause, in the discretion of the Judge, he may adjourn the Court over to a future day, or to some other place in the County; and witnesses, jurors and all persons concerned, having due notice thereof, shall attend at such time or place.

Place of meet-
ing

Adjournment

Four regu-
lar terms of
Court each
year.

SEC. 8. The Criminal Court shall hold four regular terms each year, on the first Monday of January, April, July and October, each term to be continued so long as business may require, and, if necessary, to be adjourned, from time to time, in the discretion of the Judge. The Judge shall also have power to hold special sessions at any time, in his discretion, and all processes issued and recognizances taken for the next regular term shall be held to refer to such special term, due notice having been given, by publication in one or more of the newspapers of the County, at least ten days before the commencement of such special session.

Special Ses-
sions.

Appeals.

SEC. 9. Appeals from the Criminal Courts shall lie to the Supreme Court in all cases within the jurisdiction of the Criminal Court, in like manner as is provided by law for appeals from the Circuit Court.

Judge, im-
mediately af-
ter his elec-
tion, to order
a special term

SEC. 10. The Judge of the Criminal Court shall, immediately after his election, order a special term of the Court herein constituted to be held within ten days after the publication of such or-

der ; all cases less than capital now on the dockets of the Court of General Sessions shall be transferred to the dockets of the Criminal Court at the special term provided for in this Section.

A. D. 1872.

Transfer of
certain cases
to said Court.

SEC. 11. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE DAMASCUS BAPTIST CHURCH, IN SUMTER COUNTY, SOUTH CAROLINA. No. 146.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Society be, and they are hereby declared to be, a body corporate, by the name and style of the "Damascus Baptist Church," and by that name and style shall have succession of officers and members, and shall have a common seal.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same ; and, by its corporate name, may sue and be sued, in any Court of this State ; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

Powers and
privileges.

SEC. 3. This Act shall be deemed and taken to be a public Act, and shall continue in force for the term of ninety-nine years.

Approved March 13, 1872.

AN ACT TO ABOLISH THE OFFICE OF STATE AUDITOR, AND CONFER THE DUTIES OF HIS OFFICE UPON THE COMPTROLLER GENERAL. No. 147.

Whereas, a multiplicity of offices should be avoided by the State, as well as unnecessary expenditures in keeping them up ; and, whereas, the duties of State Auditor can be performed by the Comptroller General without detriment to the requirements of his office ; therefore,

Preamble.

A. D. 1872.

Office of State
Auditor abol-
ished.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That the office of the State Auditor be, and it is hereby, abolished, and the duties hitherto devolving upon that officer shall be performed by the Comptroller General.

Act to take
effect after
general elec-
tion.

SEC. 2. That this Act shall take effect on and after the general election in October, 1872, at which time the State Auditor shall turn over all books, papers and accounts of his office to the Comptroller General.

Approved March 13, 1872.

No. 148. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REVISE, SIMPLIFY AND ABRIDGE THE RULES, PRACTICE, PLEADINGS AND FORMS OF THE COURTS OF THIS STATE."

Clerk of Court
et al., entitled
to receive cer-
tain compen-
sation from
plaintiff.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts of this State," be, and is hereby, amended as follows, viz: Insert, in Section 330, at the close of sub-division 4 of said Section of said Act, the following words: "And in any civil action under this Code, Clerks of the Courts, Trial Justices and Sheriffs shall be entitled to demand and receive of the plaintiff in any such action, in advance, the same compensation as is allowed by law."

Approved March 13, 1872.

No. 149. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT FOR THE BETTER PROTECTION OF MIGRATORY FISH.'"

Close time
in creeks and
streams of the
State.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act for the better protection of migratory fish,'" be, and is hereby, amended

so as to read as follows: "There shall be a close time in all the creeks, streams and inland waters of this State, from the setting of the sun each Friday until the rising of the sun on each Tuesday, during which time all seines, nets or any plan or device for the stoppage or collecting of fish, which obstruct more than two-thirds of any stream, other than a dam for manufacturing purposes, shall be removed from said creeks, streams or waters, and the owner, in whole or in part, of any such obstruction, plan or device, shall be liable to a fine of two hundred dollars for each and every offense, one-half to go to the informer, and the other half to the use of the County in which such obstruction is found.

A. D. 1872.

Penalty for violation.

SEC. 2. This Act shall take effect on and after its passage.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE CHARLESTON LAND AND JOINT STOCK COMPANY. No. 150.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. Simons, Thomas Mathews, L. F. Campbell, Samuel Porcher and Wm. Fields, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared a body politic and corporate, by the name and style of the Charleston Land and Joint Stock Company.

Corporators.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court in this State; it is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which hereafter may be purchased or in any way acquired by it, and to sell, alien or transfer the same.

General powers.

May hold and dispose of property.

SEC. 3. That this Act shall be deemed a public Act, and continue in force for the term of fourteen years.

Approved March 13, 1872.

A. D. 1872.

AN ACT TO INCORPORATE THE SOUTH CAROLINA REAL ESTATE AND JOINT STOCK COMPANY.

No. 151.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That R. A. Sisson, Lewis Heyward, Washington Ash, Lewis Wilson, P. B. Lusk, Lewis Carr, Robert L. Jones, M. D. Stone, Edwin Marks, Henry Johnson, J. H. Snyder, T. Sands, A. Boldgood, together with such persons who now are, or may be hereafter, associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the South Carolina Real Estate and Joint Stock Company," for the purpose of loaning out money on interest, purchasing and mortgaging real estate, buying and selling or otherwise disposing of personal property; and they shall have the same rights and privileges now enjoyed by banking corporations of this State; they shall also have undisputed right to dispose of any and all such property, real, personal or mixed, that they may become possessed of, in any manner, and on such conditions as the said association, for their own interest, may deem fit and proper.

SEC. 2. That the capital stock of said company shall consist of two thousand shares, to be paid in by successive monthly installments of one dollar on each share, or in such manner as their constitution and by-laws may hereafter provide for; and such shares shall be held, transferred or assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payment, as may hereafter be provided.

SEC. 3. That said company shall have power and authority to make any such rules and by-laws for its government; and shall have such members and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made, or to be made, by them; shall have and keep a common seal, and may alter the same at will; and shall have and enjoy every right and privilege incident and belonging to corporate bodies; and the said company shall, and is hereby, authorized to begin business in any County in this State, and to establish agencies at any points that may be deemed advantageous to the interest and benefit of the said company.

SEC. 4. That all the rights conferred upon this company, as provided for in the preceding Sections, shall be exclusive in this State, and all Acts conflicting are hereby repealed, and the company hereby incorporated shall not be subject to any laws that may hereafter be enacted.

SEC. 5. That this Act shall be taken and deemed a public Act, and shall continue in force for the term of twenty-five years. A. D. 1872.

SEC. 6. That this Act shall be of force immediately on and after its passage.

Approved March 13, 1872.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO CREATE A DEBT OF THE STATE OF SOUTH CAROLINA, TO BE KNOWN AS THE STERLING FUNDED DEBT, THE SAME, OR THE PROCEEDS THEREOF, TO BE EXCLUSIVELY USED IN EXCHANGE FOR, OR IN PAYMENT OF, THE EXISTING PUBLIC DEBT OF SAID STATE." No. 152.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act passed by this General Assembly, approved March 7, 1871, entitled "An Act to create a debt of the State of South Carolina, to be known as the Sterling Funded Debt, the same, or the proceeds thereof, to be exclusively used in exchange for, or in payment of, the existing public debt of said State," be, and the same is hereby, repealed, as to each and all of its provisions. Act creating sterling funded debt repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SUMTER ACADEMICAL SOCIETY. No. 153.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Franklin J. Moses, Jr., Samuel Lee, T. B. Johnson, A. L. Singleton, J. N. Corbett, W. J. Andrews, together with such other person or persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The Sumter Academical Society," with power to sue and be sued, to plead and be impleaded, to possess and hold, subject to former grants, escheated and other property within the County of Sumter, to an amount not exceeding twenty thousand dollars. Corporators.

Title.

Powers.

A. D. 1872.

Certain property vested in incorporators.

SEC. 2. That all property heretofore vested in the Trustees of "The Sumter Academical Society," incorporated by an Act entitled "An Act to incorporate certain companies and societies," passed on the twentieth day of December, A. D. 1837, be, and the same is hereby, vested in the incorporators named in this Act, and such incorporators shall be deemed and held in law to be the proper and legal successors of such former Trustees.

Authorized to exchange certain lot.

SEC. 3. That the corporators of the said Sumter Academical Society, named in the first Section of this Act, be, and they are hereby, authorized and empowered, for the benefit of the Society herein incorporated, and for no other purpose, to exchange the lot of land which was conveyed by the late J. B. Miller to certain Trustees for educational purposes, of whom F. J. Moses, Sr., is the survivor: *Provided*, That the condition of the exchange shall be, that a lot of the same size, within the corporate limits of the town of Sumter, shall be given, and a frame house, of equal capacity of the academy lately destroyed by fire, completely furnished with desks and seats, shall be erected thereon, subject to the acceptance of the aforementioned corporators.

Conditions of said exchange.

SEC. 4. This Act to be deemed a public Act, and to remain in full force until repealed.

Approved March 13, 1872.

No. 154. AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO REVISE, SIMPLIFY AND ABRIDGE THE RULES, PRACTICE, PLEADINGS AND FORMS OF COURTS IN THIS STATE."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 310 of an Act entitled "An Act to revise, simplify and abridge the rules, practice, pleadings and forms of Courts in this State," approved the first day of March, A. D. 1870, be, and the same is hereby, altered and amended by striking out therefrom the words "or by a referee appointed by the Court for that purpose," and the word "referee" immediately thereafter.

Word "referee" stricken out.

Approved March 13, 1872.

AN ACT TO PROVIDE FOR A GENERAL LICENSE LAW.

A. D. 1872.

No. 155.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That every individual or copartnership, residing in the Counties of Charleston and Richland, designing to carry on or exercise the business of stock broker, exchange broker and bill broker, shall, and they are hereby, required to pay into the Treasury of their respective Counties, for the use of the State, the sum of one hundred dollars, payable quarterly, as follows: Twenty-five dollars on or before the first day of April, 1872; twenty-five dollars on or before the first day of July, 1872; twenty-five dollars on or before the first day of October, 1872; and twenty-five dollars on or before the first day of January, 1873; and, if residing in any other County of this State, the sum of fifty dollars, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873. The provisions of this Section shall be, and are hereby, extended to real estate brokers and to merchandise brokers. A real estate broker is hereby defined to be one who engages in the purchase or sale of real estate for a commission or other profit; and a merchandise broker, one who engages in the purchase or sale of merchandise for a commission or other profit.

Stock, exchange and bill brokers.

License—amount of.

When payable.

Real estate broker defined.

Merchandise broker defined.

SEC. 2. Every person or company, designing to carry on or conduct the business of keeping a billiard room, bowling saloon or ten-pin alley in this State, shall be required to pay into the Treasury of their or his respective County, for the use of the State, the sum of twenty-five dollars for every billiard table, the sum of twenty-five dollars for every alley, and the sum of ten dollars for every bagatelle table, the same to be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873: *Provided, however,* That this Act shall not be construed to apply to billiard tables, bowling saloons or ten-pin alleys, used in private residences, for private use.

Billiard rooms and bowling saloons.

Amount of license, and when payable

SEC. 3. Every hotel, inn, livery stable, tavern or saloon, shall be classified and rated according to the rental value thereof, and every keeper or keepers of the same shall be required to pay into the County Treasury of the County in which such hotel, inn, tavern or saloon is kept, for the use of the State, the sums, according to said rental values, as follows, to wit: In all cases where such rental value, per year, shall be ten thousand dollars or more, such hotel, inn, tavern or saloon, shall pay the sum of three hundred and seventy-five dollars; when the rental value is seven thousand five hundred dollars, and less than ten thousand dollars, the sum of three hundred dollars; when five thousand dollars, and less than seven

Hotels, inns, livery stables and taverns.

Licensed according to rental value.

A. D. 1872.

thousand five hundred dollars, the sum of two hundred and twenty-five dollars; when three thousand five hundred dollars, and less than five thousand dollars, one hundred and eighty-seven dollars and fifty cents; when two thousand five hundred dollars, and less than three thousand five hundred dollars, one hundred and fifty dollars; when two thousand dollars, and less than two thousand five hundred dollars, one hundred and thirty-one dollars and sixty-six cents; when fifteen hundred dollars, and less than two thousand dollars, one hundred and twelve dollars and fifty cents; when one thousand dollars, and less than fifteen hundred dollars, ninety-four dollars and seventy-five cents; when seven hundred and fifty dollars, and less than one thousand dollars, seventy-five dollars; when five hundred dollars, and less than seven hundred and fifty dollars, sixty-seven dollars and fifty cents; when four hundred dollars, and less than five hundred dollars, sixty dollars; when three hundred dollars, and less than four hundred dollars, fifty-two dollars and fifty cents; when two hundred dollars, and less than three hundred dollars, forty-five dollars; when less than two hundred dollars, thirty-seven dollars and fifty cents. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

License—
when paya-
ble.

Dealers in
and venders
of goods,
wares, mer-
chandise,
wines, distil-
led liquors,
drugs or med-
icines.

Licensed ac-
cording to an-
nual sales.

SEC. 4. Every person, firm or company who shall engage in, or exercise, the business of selling or vending any goods, wares, merchandise, wines, distilled or malt liquors, drugs or medicines, except such as are sold by auction, under licenses granted them, and except such as are sold by regularly licensed hotel, inn, tavern or saloon keepers, shall be required to pay into the Treasury of the County in which he or they shall design to conduct or carry on such business, for the use of the State, the sums as follows, to wit: Those whose annual sales amount to three hundred thousand dollars and upwards, shall constitute the first class, and pay two hundred and fifty dollars; those to the amount of two hundred thousand dollars, and less than three hundred thousand dollars, the second class, and pay two hundred dollars; those to the amount of one hundred and fifty thousand dollars, and less than two hundred thousand dollars, the third class, and pay one hundred and seventy-five dollars; those to the amount of one hundred and twenty-five thousand dollars, and less than one hundred and fifty thousand dollars, the fourth class, and pay one hundred and fifty dollars; those to the amount of one hundred thousand dollars, and less than one hundred and twenty-five thousand dollars, the fifth class, and pay one hundred and twenty-five dollars; those to the amount of eighty-five thousand dollars, and less than one hundred thousand dollars, the sixth class, and pay one hundred dollars; those to the amount of seventy-five

thousand dollars, and less than eighty-five thousand dollars, the seventh class, and pay eighty dollars; those to the amount of sixty-five thousand dollars, and less than seventy-five thousand dollars, the eighth class, and pay seventy dollars; those to the amount of fifty-five thousand dollars, and less than sixty-five thousand dollars, the ninth class, and pay sixty dollars; those to the amount of forty-five thousand dollars, and less than fifty thousand dollars, the tenth class, and pay fifty dollars; those to the amount of thirty-five thousand dollars, and less than forty-five thousand dollars, the eleventh class, and pay forty dollars; those to the amount of twenty-five thousand dollars, and less than thirty-five thousand dollars, the twelfth class, and pay thirty dollars; those to the amount of twenty thousand dollars, and less than twenty-five thousand dollars, the thirteenth class, and pay twenty-five dollars; those to the amount of fifteen thousand dollars, and less than twenty thousand dollars, the fourteenth class, and pay twenty dollars; those to the amount of ten thousand dollars, and less than fifteen thousand dollars, the fifteenth class, and pay eighteen dollars; those to the amount of seven thousand five hundred dollars, and less than ten thousand dollars, the sixteenth class, and pay fifteen dollars; those to the amount of five thousand dollars, and less than seven thousand five hundred dollars, and all less than twenty-five hundred dollars, the seventeenth class, and pay five dollars: *Provided*, That the sale of malt or spirituous liquors shall not, by this Section, be authorized in measures less than those of one quart; and that nothing herein contained shall be construed to extend to physicians, surgeons, apothecaries or chemists, as to any malt or spirituous liquors which they may use in the preparation or making up of medicines for sick, lame or diseased persons: *And provided, further*, That every seller or vender of wines, distilled or malt liquors, in measures not less than one quart, either with or without other goods, wares, merchandise, commodities or effects, as aforesaid, shall pay fifty per cent., in addition to the rates above specified, for the respective classes; and every license granted under this Act shall distinctly specify whether the party obtaining the same is or is not authorized thereby to sell or vend wine, spirituous, distilled, or malt liquors. The above amounts shall be paid in quarterly installments, on the first day of April, July and October, 1872, and January, 1873.

SEC. 5. If any person or persons shall have more than one store in which merchandise, as described in the foregoing Section, is sold or vended, such person or persons shall be required to pay the respective amounts above specified, according to class, for each and every store.

SEC. 6. Every individual, company, or corporation, other than

A. D. 1872.

Proviso.

Further proviso.

Licenses.

When payable.

Persons having more than one store to pay said amounts for each store.

A. D. 1872.

Individuals,
persons or
corporations
carrying on
a banking bu-
siness licens-
ed according
to amount of
capital.

national banks, carrying on or conducting a banking business in this State, shall be required to pay into the County Treasury of the County in which he or they shall carry on or conduct such business, for the use of the State, the following respective sums, to wit: For every bank, the capital of which is less than and does not exceed fifty thousand dollars, the sum of one hundred and twenty-five dollars; for every bank, the capital of which does not exceed one hundred thousand dollars, but is greater than fifty thousand dollars, two hundred and fifty dollars; for every bank, the capital of which does not exceed one hundred and fifty thousand dollars, but is greater than one hundred thousand dollars, three hundred and seventy-five dollars; for every bank, the capital of which does not exceed two hundred thousand dollars, but is greater than one hundred and fifty thousand dollars, five hundred dollars; for every bank, the capital of which does not exceed two hundred and fifty thousand dollars, but is greater than two hundred thousand dollars, six hundred and twenty-five dollars; for every bank, the capital of which does not exceed three hundred thousand dollars, but is greater than two hundred and fifty thousand dollars, seven hundred and fifty dollars; for every bank, the capital of which does not exceed three hundred and fifty thousand dollars, but is greater than three hundred thousand dollars, eight hundred and seventy-five dollars; for every bank, the capital of which does not exceed four hundred thousand dollars, but is greater than three hundred and fifty thousand dollars, one thousand dollars; for every bank, the capital of which does not exceed four hundred and fifty thousand dollars, but is greater than four hundred thousand dollars, eleven hundred and twenty-five dollars; for every bank, the capital of which does not exceed five hundred thousand dollars, but is greater than four hundred and fifty thousand dollars, twelve hundred and seventy-five dollars; for every bank, the capital of which does not exceed five hundred and fifty thousand dollars, but is greater than five hundred thousand dollars, thirteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed six hundred thousand dollars, but is greater than five hundred and fifty thousand dollars, fifteen hundred dollars; for every bank, the capital of which does not exceed six hundred and fifty thousand dollars, but is greater than six hundred thousand dollars, sixteen hundred and twenty-five dollars; for every bank, the capital of which does not exceed seven hundred thousand dollars, but is greater than six hundred and fifty thousand dollars, seventeen hundred and fifty dollars; for every bank, the capital of which does not exceed seven hundred and fifty thousand dollars, but is greater than seven hundred

thousand dollars, eighteen hundred and seventy-five dollars; for every bank, the capital of which does not exceed eight hundred thousand dollars, but is greater than seven hundred and fifty thousand dollars, two thousand dollars; for every bank, the capital of which does not exceed eight hundred and fifty thousand dollars, but is greater than eight hundred thousand dollars, twenty-one hundred and twenty-five dollars; for every bank, the capital of which does not exceed nine hundred thousand dollars, but is greater than eight hundred and fifty thousand dollars, twenty-two hundred and fifty dollars; for every bank, the capital of which does not exceed nine hundred and fifty thousand dollars, but is greater than nine hundred thousand dollars, twenty-three hundred and seventy-five dollars; for every bank, the capital of which does not exceed one million dollars, but is greater than nine hundred and fifty thousand dollars, two thousand five hundred dollars; and for every additional fifty thousand dollars of capital, or fraction thereof, in excess of one million dollars, one hundred and twenty-five dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

A. D 1872.

Licenses—
when paya-
ble.

SEC. 7. Every railroad company or corporation in this State shall be required to pay into the Treasury of the County in which its principal office within this State is located, for the use of the State, the following respective sums, to wit: Every company or corporation, the length of whose main track and branches, together, is greater than two hundred and fifty miles, the sum of twelve hundred and fifty dollars; every one the length of whose main track and branches, together, is two hundred miles, and not exceeding two hundred and fifty miles, eleven hundred and twenty-five dollars; every one the length of whose main track and branches, together, is one hundred and fifty miles, and less than two hundred miles, one thousand dollars; every one the length of whose main track and branches, together, is one hundred miles, and less than one hundred and fifty miles, eight hundred and seventy-five dollars; every one the length of whose main track and branches, together, is seventy-five miles, and less than one hundred miles, six hundred and twenty-five dollars; every one the length of whose main track and branches, together, is fifty miles, and less than seventy-five miles, three hundred and seventy-five dollars; and every one the length of whose main track and branches, together, is less than fifty miles, one hundred and eighty-seven and a half dollars. The above amounts shall be paid, in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Railroad com-
panies licens-
ed according
to length of
track.License: when
payable.

SEC. 8. Every person or company selling or vending commodi-

A. D. 1872.

Auctioneers,
amount of li-
cense, and
when paya-
ble.

ties or merchandise, of any description whatever, at or by public outcry, shall be deemed an auctioneer under this Act, and he or they, carrying on or conducting such business in the Counties of Charleston or Richland, shall be required to pay into the treasury of such County, for the use of the State, the sum of one hundred dollars; and if in any other County in this State, the sum of fifty dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Dealers in
fertilizers
and phosphat-
ic deposits.

Amount of
license, and
when paya-
ble.

SEC. 9. Every person, company or corporation carrying on or conducting the business of digging, mining, manufacturing or changing into new forms for use as fertilizers, any mineral or phosphatic deposits in this State, or any party or parties who shall sell or establish an agency for the sale of fertilizers of any kind or description within this State, who manufacture the same beyond the limits of the State, shall be required to pay into the County Treasury of the County in which he or they shall carry on or conduct such business, for the use of the State, the sum of five hundred dollars, the same to be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Attorneys-
at-law, phy-
sicians, den-
tists, insur-
ance agents,
&c.

Amount of
license, and
when paya-
ble.

Photograph-
ers.

SEC. 10. Every person engaged in the profession or calling of attorney at law, solicitor or lawyer, physician or surgeon dentist, insurance agent or architect, in this State, shall be required to pay into the Treasury of the County in which such person resides, for the use of the State, the sum of ten dollars; all photographers and Daguerrean artists, in Charleston and Richland Counties, twenty-five dollars each, and for all the other Counties in the State, ten dollars each; and every person holding any office whatsoever, either elected or appointed, all officers of corporations and societies who receive a salary, shall be required to pay into the Treasury of the County in which such persons reside, for the use of the State, on or before the first day of April, A. D. 1872, the sum of one dollar for every one hundred dollars' salary receivable, or to be received, from such office. Any person engaged in the business of selling by sample, or any person soliciting orders, shall pay the sum of twenty-five dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Sellers by
sample, &c.,
amount of li-
cense, and
when paya-
ble.

Telegraph
companies li-
censed accord-
ing to length
of line.

SEC. 11. Every company or corporation carrying on or conducting the business of telegraphing, or forwarding dispatches by telegraph, in this State, shall be required to pay into the Treasury of the County in which its principal office within this State is located, for the use of the State, the following respective sums, to wit: Every company or corporation, the length of whose main line and branches,

together, is fifty miles or less, fifty dollars; every one, the length of whose main line and branches, together, does not exceed one hundred miles, but is greater than fifty miles, seventy-five dollars; and for every additional fifty miles, or fraction thereof, the sum of twenty-five dollars: *Provided, however,* That the above rates shall apply to a single line of wire, and every company or corporation, as aforesaid, shall pay twenty per cent., in addition to the rates above specified, for every additional wire. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

A. D. 1872.

Proviso.

SEC. 12. Every express company or corporation, carrying on or conducting the business of forwarding or carrying parcels, packages of goods, or merchandise of any description, over any of the railroads or public highways of this State, shall be required to pay into the Treasury of the County in which his or its principal office within this State is located, for the use of the State, the sum of two hundred and fifty dollars. The above amounts shall be paid in quarterly installments, on or before the first day of April, July and October, 1872, and January, 1873.

Express companies.

Amount of license, and when payable

SEC. 13. Every person, company or corporation carrying on or conducting any of the above occupations or businesses is hereby required to make a return, under the provisions of this Act, of his or their respective occupation or business, under oath; to the Auditor of his or their respective Counties, between the first day of April and the first day of June, A. D. 1872, and between the same dates on each and every succeeding year thereafter; and every person, company or corporation carrying on or conducting any of the above occupations or businesses is hereby required to pay into the treasury of his or their respective Counties, for the use of the State, on or before the first day of April, July and October, 1872, and January, 1873, and at the same time on each succeeding year thereafter, the sum required by the foregoing provisions of this Act to be paid into the respective County Treasuries, on his or their respective occupation or business.

Returns under oath to be made to County Auditor.

SEC. 14. It is hereby made the duty of each and every County Auditor in this State, on or before the first day of April, July and October, 1872, and January, 1873, and at the same time on each and every succeeding year thereafter, to make and deliver to the Treasurer of his County a duplicate list, and, at the same time, transmit to the State Auditor an abstract of the returns made to him under the provisions of this Act.

County Auditors to deliver to Treasurer duplicate lists.

SEC. 15. It shall be the duty of the Treasurer of each and every County in this State, upon the receipt of the first quarterly installment of the sum or sums specified to be paid upon any occupation

A. D. 1872.

Treasurer to
issue certificate to Audi-
tor.

Auditor, on
receipt of cer-
tificate, to is-
sue license

Fees of
County Audi-
tor.

Proviso.

or business under the provisions of this Act, to give to the person, company or corporation paying the same a certificate to the Auditor of his County, specifying the sum paid, and the occupation or business on which the same was paid; and said Auditor, upon presentation to him of such certificate, is hereby authorized and directed to issue to the person or company, or corporation presenting the same, a license, authorizing him or them to carry on or conduct such occupation or business for the period of one year from the first day of April: *Provided*, That the quarterly installments heretofore provided for shall be paid when due, or such license, so issued, shall become null and void; for the issuing of which license said County Auditor shall receive the sum of twenty-five cents from the person, company or corporation receiving the same as compensation for taking the returns and issuing the licenses provided for in this Act: *Provided*, That any person, company or corporation who may commence any of the occupations or businesses specified in this Act after the first day of April, A. D. 1872, or of any succeeding year, shall take out a license from the time of commencing such occupation or business until the first day of April next thereafter, for which he or they shall pay a sum proportionate to the number of months intervening between such periods.

Monthly re-
ports of Coun-
ty Treasurers.

SEC. 16. The County Treasurer of each and every County shall pay, or cause to be paid, monthly, into the State Treasury, all moneys received by him under the provisions of this Act, and the State Treasurer shall receipt therefor to County Treasurers, in the same manner as is provided in Section 102 of an Act entitled "An Act to provide for the assessment and taxation of property," passed the 15th day of September, A. D. 1868.

Penalty for
non-compli-
ance with this
Act.

SEC. 17. Any person or persons carrying on, or conducting any occupation or business named in this Act, without having first complied with its provisions, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not less than double the amount of license imposed upon such business or occupation, and be imprisoned in the jail of the County in which such offense is committed, for a period of not less than six months, or either or both, at the discretion of the Court; and every company or corporation carrying on or conducting any occupation or business named in this Act, without having first complied with its provisions, shall be fined in a sum not less than double the amount of license imposed upon such business or occupation, and the Attorney General and Solicitors are hereby authorized and directed to take all legal proceedings necessary for the collection of such fine.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND AN ACT TO INCORPORATE THE TOWN OF MARION, AND FOR OTHER PURPOSES THEREIN MENTIONED."

A. D. 1872.

No. 156.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That Section 2 be amended, on the 4th line, by striking out "three-fourths," and inserting in lieu thereof the word "one." That Section 3 be amended, on the 5th line, by striking out the word "January," and inserting in lieu thereof the word "December." That Section 4 be amended, on the 5th line, by inserting, between the words "thereof" and "the," the words "It shall be the duty of the Intendant and Wardens to cause all bar rooms, saloons, and other places for the sale of liquors by retail, to be closed during the progress of such election, and until 6 o'clock in the morning of the day thereafter; and during the time aforesaid the sale of all intoxicating liquors are prohibited. Any person or persons violating the provisions of this Section shall be punished by a fine not exceeding thirty dollars, or by imprisonment not exceeding thirty days in the County Jail, or by both such fine and imprisonment, at the discretion of the Town Council."

Bar-rooms,
saloons, &c.,
to be closed
on day of elec-
tion.

Approved March 13, 1872.

AN ACT TO RENEW THE CHARTER OF PEAY'S FERRY, OVER THE WATEREE RIVER. No. 157.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the ferry over the Wateree River, known as Peay's Ferry, be, and the same is hereby, renewed and continued in force from and after the passage of this Act, until amended or repealed; and the same is hereby vested in D. J. D. Cureton, his executors, administrators and assigns, subject to like powers, privileges and limitations as were formerly conferred upon the owner of said ferry by law: *Provided, however*, That the following rate of ferriage only shall be charged and collected, to wit: Single passengers, 5 cents; man and horse, 15 cents; buggy, 25 cents; 1 horse wagon, 25 cents; 2 horse wagon 50 cents; 4 horse wagon, 75 cents.

Charter re-
newed and
vested in D.
J. D. Cureton.

Rates of
toll.

A. D. 1872.

SEC. 2. All persons attending public meetings and elections, and children going and returning from school, shall be exempt from any and all charges for ferriage.

Approved March 13, 1872.

No. 158. AN ACT TO RENEW THE CHARTER OF THE CONGREGATION KNOWN AS DEREKH EMETH, OR PATH OF TRUTH, OF THE CITY OF COLUMBIA, S. C.

Charter
renewed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Synagogue heretofore known by the name of Derekh Emeth, or Path of Truth, of the City of Columbia, be, and the same is hereby, extended, and shall continue in force until repealed.

Approved March 13, 1872.

No. 159. AN ACT TO INCORPORATE THE LANCASTER AND CAMDEN RAILROAD COMPANY, OF SOUTH CAROLINA.

Corporators.

Corporate
name.

Capital stock.

Books of
subscription.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a railroad company from Camden to Lancaster, a charter, with the rights and privileges incidental to the same, be, and is hereby, granted to, and vested in, H. J. Hickson, R. W. Cousart, Joseph Clark, J. F. G. Mittag, B. J. Witherspoon, D. C. Wolfe, W. M. Shannon, J. B. Kershaw, W. Z. Leitner, Mannes Baum, Samuel Boykin, T. F. McDow, S. H. Brewer, L. J. Patterson and John Kershaw, and their associates; and when a company shall be formed, in compliance with the conditions herein prescribed, it shall be known by the name of the Lancaster and Camden Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.

SEC. 2. That the capital stock of said company shall be one million dollars, in shares of twenty-five dollars, or five acres of land each; and, in order to raise the said capital stock, it shall be lawful to open books of subscription in such places, and at such times, as

may be deemed for the best interests of the corporation, under the direction of the corporators; the times and places for receiving such subscriptions to be determined by a majority of the corporators; but should a majority fail to fix such times and places, then such times and places may be fixed by any six of the corporators hereinbefore named, having given due notice of the same in any newspaper or newspapers of the State; and the subscription books shall be kept open for twenty days, from such times, and at such places, as said corporation may determine; that, on each share of stock subscribed, or land to the value of each share so subscribed, the said subscribers shall pay two dollars to the corporators, who shall deposit the same in some National or State bank. When fifty thousand dollars, or the value thereof in land, shall have been subscribed, the said corporators, or any six of them, shall give notice, by publication, for at least ten days, of the time and place of meeting for organization.

A. D. 1872.

Meeting and organization.

SEC. 3. Whenever the said sum of fifty thousand dollars, or the value thereof in land, shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and shall have all the rights and privileges conferred upon the South Carolina Central Railroad Company, ratified ———: *Provided, however,* That nothing herein contained shall be so construed as to exempt the said company from payment of taxes: *Provided, further,* That this Act shall not be construed so as to bind the State to endorse, guarantee or aid said road: *Provided, further,* That nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1, Chapter LXIII, of the General Statutes.

Entitled to rights and privileges conferred on South Carolina Central Railroad.

SEC. 4. That the said company shall have the right to construct necessary stations and turn-outs, with one or more tracks to the road: *Provided,* That the said road shall be commenced within one year, and completed within five years, after the passage of this Act, or the charter thereof shall be forfeited: *And provided, further,* That the said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the land, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement," ratified September 22, A. D. 1868.

Time for commencing and completing said road.

SEC. 5. That this Act shall be deemed a public Act, and continue in force for twenty-one years.

Approved March 13, 1872.

A. D. 1872.
 No. 160.

AN ACT TO INCORPORATE THE LINCOLN LIGHT INFANTRY, OF
 DARLINGTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Keith, Larry Aiken, Jacob Smart, under the name and style of the "Lincoln Light Infantry, of Darlington," and their associates and successors, be, and they are, respectively, incorporated, and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall have the power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

Corporators.

Title.

Powers and privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the space of ten years from and after its passage.

Approved March 13, 1872.

No. 161. AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF
 PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That where the writ of *habeas corpus* has been suspended by the President of the United States, there shall be levied and collected, at the same time and in the same manner that all other taxes are collected, a special tax of one-half ($\frac{1}{2}$) mill on the dollar, of the assessed value of all the taxable property of each and every of said Counties, the proceeds of which tax shall be paid into the County Treasury in said Counties, respectively; and shall constitute a pension fund for the support of the indigent widows and orphans of those persons who have been killed in said Counties because of their political opinions: *Provided*, That if in any County said levy of one-half ($\frac{1}{2}$) mill on the dollar shall be more than sufficient for the support of the widows and orphans aforesaid in said County, then said excess shall be applied to the school fund, to be disbursed according to law.

Levy of certain tax.

Pension funds.

Disposition of surplus funds.

SEC. 2. That each of such destitute or indigent widows or orphans, on satisfactory proof (by not less than two disinterested witnesses) furnished to the County Treasurer of his or her County, shall receive an allowance or pension of the amount as follows, to wit: For each widow, ten dollars per month; for each orphan child, under the age of fifteen years, six dollars per month, payable on the first day of each and every month by the County Treasurer, such allowance to be continued during the widowhood of such widow, or to such orphan child until he or she shall have attained the age of fifteen years. The County Treasurers of said Counties shall report to the next General Assembly a detailed statement as to how far the provisions of this Act have been carried into execution.

SEC. 3. This Act shall take effect from the date of its passage.

Approved March 13, 1872.

A. D. 1872.

Each widow
\$10 per month

Children \$6
per month.

County Treasurers to report annually to General Assembly.

AN ACT TO INCORPORATE THE EDISTO, CAW CAW AND WAITES' CREEK CANAL COMPANY, OF SOUTH CAROLINA. No. 162.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard H. Cain, Timothy Hurley, John D. Weatherly, David Ricker, John C. Downing, B. A. Bosenon, A. J. Ransier, W. M. Thomas, A. P. Holmes, George F. McIntyre, L. J. Maddocks, S. Small, E. D. Holmes, Robert Tarlton, George Lee, B. Byas, P. P. Hedges, Wm. R. Jervey, and such other persons as they may associate with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Edisto, Caw Caw and Waites' Creek Canal Company. And they are hereby made corporate in law, to have, hold, purchase and possess lands, and to make sale of the same, or any property acquired by them, as a company, to carry on the lumber, wood business, dig phosphates that may be on their lands, to erect houses, mills, machine shops, manufactories, dig out and clean away any obstructions which may be necessary in order to complete a navigable water course from the Edisto River to the Ashley River in this State, conveying water, lumber, wood, barges, rafts, boats, or any craft that may be necessary to carry out the designs of said company. They may also convey fresh water to the city of Charleston, by such means as they may deem best, and at such time as shall be most practicable, and

Corporators.

Corporate name.

Objects of corporation.

May convey water to Charleston.

A. D. 1872.

Toll.

Capital stock.

Annual meet-
ings.President
and Direc-
tors.Transfer of
shares.Water com-
munication.

Rates of toll.

Issue of bonds

May com-
mence work
immediately.

shall have authority to impose such a toll on vessels, rafts, barges, boats and flats as may be deemed proper for the use of said canal.

SEC. 2. The capital stock of this company shall be five hundred thousand dollars, divided into shares of ten (10) dollars each, and shall organize when ten thousand dollars shall be subscribed and paid in, either in cash, or lands, machinery, goods, or any material which may be deemed of equal value to said company, which may be applied in its operations.

SEC. 3. There shall be held annual meetings of the stockholders to elect a President and Directors; there shall be four Directors, who shall hold their offices for one year.

SEC. 4. Each share shall represent one vote in all elections for officers.

SEC. 5. All transfers of shares shall be made in accordance with bank rules for making transfers of shares. The Directors shall make all needful by-laws for the government of the company, and alter and amend the same at pleasure.

SEC. 6. This company shall have water communication from the Edisto River, through Bull Creek, and the most direct route through Caw Caw Swamp water lead, to Waites' Creek, two hundred feet wide, and may appropriate any lands on said route necessary to forward this enterprise and facilitate quick transportation: *Provided*, That they shall pay a just and reasonable compensation for all land appropriated for said purpose.

SEC. 7. That they, and their successors, shall fix and establish any toll, and receive the same, on all goods, merchandise, timber, lumber, wood, boats, flats, rafts, or any means of transit through said canal, and any party refusing to pay said toll, their goods may be detained till said toll is paid.

SEC. 8. The said company shall have authority to issue coupon bonds, bearing eight per cent. interest, redeemable in ten and twenty years, not exceeding one hundred thousand dollars.

SEC. 9. They shall have power to commence work immediately on its formation, and may make publication of the same, and keep open their subscription books at such time and place as they may determine.

SEC. 10. This Act shall be deemed a public Act, and shall remain in force for fifty years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE MERCHANTS' BUILDING, TRUST
AND LOAN ASSOCIATION, OF AIKEN, SOUTH CAROLINA.

A. D. 1872.

No. 163.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Jones, H. J. Maxwell, J. A. Bowley, P. R. Rivers, E. P. Stoney, James Major, Joseph Quash, M. J. Hirsch, C. D. Hayne, John C. Ford, E. Ferguson, James Johnson, J. B. Bascomb, J. S. Mobley and E. M. Sumpter, together with such other persons who are now, or may hereafter be, associated with them, be, and they are hereby, declared a body politic and corporate, (for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate and personal property of any and all description, or by conveyance of the same to their members and stockholders or other persons,) by the name and style of the "Merchants' Building, Trust and Loan Association, of Aiken, South Carolina." The capital stock of said Association shall consist of twenty-five hundred shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue; and the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such regulations, for defaults in their payments, as may be prescribed by the by-laws created for the government of the corporation.

Corporators.

Corporate
name.

Capital stock.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; and shall have such succession and number of members and officers as shall be ordained and chosen, according to the rules or by-laws made, or to be made, by them; shall have and keep a common seal, and alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right, privilege and immunity belonging to corporate bodies, as guaranteed by the laws of the land.

General pow-
ers.

SEC. 3. That the said corporation shall have power to take, purchase, hold and enjoy real estate, and to sell and transfer the same, as may be deemed proper, to its members and others, on such terms, and on such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of said corporation.

May hold
and dispose of
property.

SEC. 4. That the funds of said corporation shall be loaned and advanced to its members and stockholders, or others, upon the security of real and personal property, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and on such conditions, and subject to such regulations, as may,

Investment
of funds.

A. D. 1872.

from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security, upon its loans and advances, and may sell, alien or otherwise dispose of the same to its members, stockholders or others, as they, from time to time, may deem expedient.

Privileges
conferred on
all banking
institutions
in this State
conferred on
this corpora-
tion.

SEC. 5. That all the privileges, rights and immunities conferred upon any and all chartered banking corporations in this State be, and the same are hereby, conferred upon the association hereby incorporated, and they shall be, and are hereby, authorized and empowered to adopt any and all such charters to facilitate them in carrying on the business contemplated by the association.

SEC. 6. That this Act shall be deemed a public Act, and continue in force for the term of fourteen years; and the same may be given in evidence without being specially pleaded.

Approved March 13, 1872.

No. 164. AN ACT TO CHARTER THE SPARTANBURG AND PORT ROYAL RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That, for the purpose of establishing a railroad from Spartanburg to Port Royal, a charter, with all the rights and privileges incidental to the same, be, and is hereby, granted to W. J. Whipper, R. Smalls, N. B. Myers, James M. Baxter, J. J. Patterson, James N. Hayne, H. C. Corwin, H. G. Worthington, G. Cannon, B. A. Bosemon, W. H. Jones, James Miller, H. W. Duncan, J. S. Mobley, J. A. Bowley, D. R. Duncan, Timothy Hurley, William Munro, R. M. Smith, S. J. Lee, J. H. Evans, J. T. B. Jeter, L. Wofford, F. S. Jacobs, R. J. Donaldson, Hardy Solomon, D. A. Childs, S. A. Swails, T. J. Moore, J. C. Bonsall, S. L. Hoge, C. D. Melton, J. M. Allen, Thomas Steers and W. J. Wilkins, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Spartanburg and Port Royal Railroad Company.

Corporators.

Corporate
name.

Extent of
road.

SEC. 2. That the said Company is hereby authorized to construct a railroad from Spartanburg to Port Royal, by such route as shall be found most suitable and advantageous.

SEC. 3. That the capital stock of said company shall be one and a half million dollars, with the privilege of increasing it to two and a half million dollars, if found necessary, to be divided into shares of fifty dollars each; and, for the purpose of raising such capital stock, it shall be lawful to open books of subscription, at such times and places, and to keep them open for such periods of time, and under the direction of such persons, as may be determined on by a majority of said company. That subscriptions to the capital stock may be made in land, at a rate, per acre, to be agreed upon at the time of subscription; and that each and every person subscribing land shall execute a deed to the said company; and that all amounts subscribed in land or money shall constitute the joint stock capital for the purpose of constructing and carrying into operation the railroad provided for by this Act; and the said railroad shall have power to mortgage its property and franchises, and issue bonds, on such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient.

A. D. 1872.

Capital stock

Books of subscription.

Joint stock capital.

Issue of bonds.

SEC. 4. That the said railroad shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways, and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be construed so as to exempt the said company from the payment of taxes: *Provided, further,* That nothing herein contained shall be construed so as to exempt said company from the provisions of Section 1, Chapter 63, of the General Statutes.

Subject to provisions of Act of 1868.

Approved March 13, 1872.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A SCHOOL IN THE STATE PENITENTIARY.

No. 165.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, on the passage of this Act, it shall be the duty of the Superintendent of the Penitentiary to organize a school in the said institution, for the benefit of such convicts confined therein as may reasonably be expected to derive advantages therefrom. He shall employ teachers at such compensation as the Directors of the Penitentiary shall deem proper;

School for convicts in Penitentiary.

A. D. 1872.

and said teachers may be removed when found inefficient, incompetent or inattentive to their duties, or for any other cause unsuitable for the trust.

School hours.

SEC. 2. The school shall be in operation every working day of the week, at such time, between the hours of 6 and 8 A. M., and between 4 and 8 P. M., as shall not interfere materially with the general work or labor, nor with the meal hours established, or hereafter to be established, at the institution: *Provided*, That the Directors and the Superintendent of the Penitentiary may increase the said time, and protract or lengthen the hours of the school, at their discretion, for such convicts or scholars as shall manifest particular aptness to derive benefit therefrom.

Proviso.

Superintendent of Education to supply said school with books.

SEC. 3. That it shall be the duty of the State Superintendent of Education, on the requisition of the Superintendent of the Penitentiary, approved by the Directors, to supply the said school with such text books as may be necessary for its use, on such terms and conditions as may be established for supplying the Free Common Schools of the State.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 13, 1872.

No. 166. AN ACT TO AMEND THE LAW IN RELATION TO THE LICENSE AND REGISTRATION OF PHARMACEUTISTS, APOTHECARIES AND DRUGGISTS, AND TO REGULATE THE VENDING OF DRUGS AND POISONS.

Conferring certain powers on the Medical Faculty of the University of South Carolina.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That, from and after the passage of this Act, the Medical Faculty of the University of South Carolina shall possess and exercise all the powers heretofore given and now possessed by the Faculty of the Medical College of Charleston, in respect to the examination and license of pharmacutists, apothecaries and druggists: *Provided*, That this Section be construed as in no wise diminishing the powers of the Faculty last named; but as giving to the Faculty first named the same powers, and also imposing thereon the duty and obligation to exercise such powers, upon due application.

SEC. 2. That every pharmacist, apothecary or druggist who carries on and conducts the business of such occupation in this State,

after the expiration of six months from the passage of this Act, must have a license therefor from one of the above named bodies. And any person who shall thereafter carry on and conduct the business of said occupations, or any of them, without such license, shall be liable to indictment as for a misdemeanor, and, on conviction, to a fine not exceeding five hundred dollars, or imprisonment not exceeding six months.

SEC. 3. That, before granting said license, except in the cases hereinafter excepted, each applicant therefor shall undergo an examination by and before that body to which the application is made, and of such nature as they shall require; but such examination must include the reading of manuscript prescriptions and explanations thereof, the discovery or detection of unusual doses of drugs, and especially of poisons, the recognition and distinguishing of the various roots, barks, leaves, fruits, rosins and gums in common use, and the proper antidotes and mode of administration thereof for the different poisons.

SEC. 4. That no examination shall be required in case the applicant is a regular graduate in medicine or pharmacy of a school that is on the *ad eundem* of the University of South Carolina, but such an applicant shall be entitled to a license, upon furnishing evidence of his graduation satisfactory to the said Faculty.

SEC. 5. That it shall be the duty of the Medical Faculty of the said University to establish, carry on and preserve, in a book to be kept for that purpose, a register of all pharmacutists, apothecaries and druggists in the State, including the names of persons registered, place of business, the fact whether the person registered be a graduate of medicine or pharmacy, or whether under license granted on examination, and any other matter of information the said Faculty may see fit to add.

SEC. 6. That it shall be the duty of all licensed pharmacutists, apothecaries and druggists, by whichsoever body licensed, to have their names registered in manner aforesaid by the Medical Faculty of the University of South Carolina, and to report annually on or before the first day of November of each year, to the said Medical Faculty of the said University, whether any, and, if yea, what change has occurred within the then preceding year, as to their respective places of business; and for omission or neglect of the requirements of this Section, or any of them, they shall, respectively, incur a fine of twenty-five dollars; and for each and every registration or change thereof, the party so registered shall pay to the said Faculty of the University the sum of one dollar, which shall be their compensation for the services performed in accordance with the provisions of this Act.

A. D. 1872.

Pharmacutists, apothecaries and druggists required to have a license

Applicants for licenses to undergo examination.

Graduates entitled to license without examination.

Said Medical Faculty to keep a register.

Licensed pharmacutists, &c., to register their names, and report annually to said Faculty.

Penalty for neglect.

A. D. 1872.

Medical Faculty to report annually to General Assembly.

SEC. 7. That it shall be the duty of the Medical Faculty of the University of South Carolina to make a correct report to the General Assembly of work done by them, in accordance with the provisions of this Act, on or before the first day of December in each year.

Record of sale of certain articles to be kept.

SEC. 8. That every pharmacist or other person selling any poison shall be satisfied that the purchase is made for legitimate purposes, and shall keep a book in which shall be recorded every sale of the following articles, viz : Arsenic, and its preparations, all metallic cyanides and cyanides of potassium, tartar emetic, corrosive sublimate, aconite and its preparations, strychnine, and all other poisonous alkaloids and their salts ; cantharides, ergot, hydrocyanic acid ; the said record also to exhibit the name of the person to whom sold, place of his residence, and purpose of purchase, as stated, which book shall be kept at all times subject to inspection by the Coroner of the County and Solicitor of the Circuit, or such other persons as either of them may designate.

Labeling of bottles, vials, &c., containing poison.

SEC. 9. That all persons in this State engaged in business as pharmacutists, apothecaries or druggists, in either the wholesale or retail of drugs, shall, to every bottle, vial, box or other package containing any poison named in the preceding Section, or any one or more of the following articles, viz : Oxalic acid, chloroform, belladonna, and its preparations, opium, and all its preparations, except paregoric, digitalis, and its preparations, henbane, and its preparations, hemlock or conium, or any other article that may be added to this list by said Faculty of the University, securely attach a label, whereon shall be either printed, or legibly written, with red ink, the name of the poison and the name of at least one antidote, with brief directions as to the mode of using the same : *Provided*, That nothing herein contained shall be construed to apply to the filling of prescriptions made by regular physicians : *And provided, further*, That it shall be the duty of the examining body, on application at the time of registration, to furnish to the party registering a form of labels for poisons.

Merchants and shop keepers may sell medicines already prepared.

SEC. 10. That this Act shall not be construed to prevent merchants and shop-keepers from vending or exposing to sale medicines already prepared : *Provided*, Such merchants and shop-keepers shall attach to the articles sold, a copy of the label attached thereto by wholesale druggists, and in the sale of poisons shall comply with the provisions of Sections 8 and 9 of this Act.

Penalty for permitting persons not qualified to compound prescriptions.

SEC. 11. That it shall not be lawful for the proprietor of any pharmaceutical shop to allow any person not qualified, in accordance with the provisions of this Act, to dispense of poisons or compound the prescriptions of physicians, and any person who, upon

indictment for a violation of this Section, shall be convicted of the same, shall pay a fine not exceeding five hundred dollars, or suffer imprisonment for a period of not more than six months.

A. D. 1872.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND REPAIRS OF PUBLIC HIGHWAYS."

No. 167.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of said Act be so amended as to read: "That the bridges be repaired under the supervision of the County Commissioners, and that the expense of the same be paid out of any moneys in the County Treasury; and that all the work on said bridges, given out by the County Commissioners, when the amount shall exceed the sum of one hundred dollars, shall be done by contract; and the Commissioners are hereby required to advertise the same in at least one of the papers of the County; that said proposal shall, in all cases, be accompanied by two or more sufficient sureties; and the County Commissioners shall have the right to reject any or all bids if, in their judgment, the interest of the County so require."

Work on
bridges—
when to be
done by con-
tract.

SEC. 2. That the Sections of said Act relating to the appointment and duties of Highway Surveyors be so amended as to abolish the office of Highway Surveyors, and to confer the duties of the same upon the County Commissioners: *Provided*, That if the County Commissioners of any County in this State fail to comply with the provisions of this Section, they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars each, and to an imprisonment not exceeding six months, or either, or both, at the discretion of the Court of General Sessions of their respective Counties: *Provided*, further, That all taxes levied for the repair of highways and bridges, in each County, shall be collected and paid at the same time as the general taxes to the County Treasurers.

Office of
Highway Sur-
veyor abol-
ished.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

A. D. 1872. **AN ACT TO REGULATE THE PAY OF THE MEMBERS OF THE**
 No. 168. **GENERAL ASSEMBLY.**

Salary of
\$500, and 20
cents mileage

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each member of the next General Assembly shall receive an annual salary of six hundred dollars, and twenty cents for every mile of the ordinary route of travel in going to and returning from sessions of the General Assembly.

Approved March 13, 1872.

No. 169. **AN ACT TO REGULATE THE ISSUING OF CHECKS TO LABORERS**
UPON PLANTATIONS OR ELSEWHERE.

Laborers and
employees to
be paid in
United States
bank notes or
currency.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, unless otherwise provided by special contract, it shall be, and it is hereby required, of all persons who employ laborers upon plantations or elsewhere, by the day, week, month or year, to pay such laborers or employees in the United States bank notes or fractional currency.

Penalty for
offering
checks or
scrip in lieu
of bank notes,
&c.

SEC. 2. That if any person or persons, after the passage of this Act, shall offer to any laborer or employee, except as provided for in the preceding Section, as compensation for labor or services performed, checks or scrip of any description in lieu of United States bank notes or fractional currency, the said person or persons so offending shall be liable to indictment and punishment by a fine not exceeding one hundred dollars, and by imprisonment not exceeding twenty days, or both, according to the discretion of the Court: *Provided*, That the word "checks" in this Act shall not be construed so as to prohibit the giving of checks upon any of the authorized banks of deposit or issue in this State.

Word check
defined.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

No. 170. **AN ACT TO CHARTER THE GREENWOOD AND AUGUSTA RAIL-**
ROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

eral Assembly, and by the authority of the same, That for the purpose of establishing a railroad, on the most practicable route, from Greenwood, in the State of South Carolina, to Augusta, in the State of Georgia, which company, when formed, with the conditions herein prescribed, shall have corporate existence as a body politic in perpetuity.

SEC. 2. That this charter, with the rights and privileges incidental thereto, is hereby granted to and vested in J. H. Jennings, M. Aiken, S. P. Boozer, P. H. Bradley, C. L. Blair, J. D. Talbert, W. K. Bradley, Nick Merriwether, J. D. Neil, Wm. L. Parks, J. L. White, Wm. K. Blake and G. J. Sheppard, of the State of South Carolina, and Robert H. May, Thomas Phinizy, John D. Butt, Edward Barry, Austin Mullarky, W. A. Ramsay, T. Jefferson Jennings, Joseph T. Smith and Wm. P. Crawford, of the State of Georgia, and J. A. Barker, Lawrence Cain, Everidge Cain and T. M. Talbert, of the State of South Carolina.

SEC. 3. That, for the purpose of raising the necessary capital stock of said company, it shall be lawful to open books of subscription, in the State of South Carolina, in the Counties of Abbeville and Edgefield; and, in the State of Georgia, in the Counties of Richmond and Columbia; and in such cities and towns as may be deemed for the best interest of the corporation, under the direction of the corporators, to an amount not exceeding one million dollars, (\$1,000,000), in shares of twenty dollars (\$20) each, to constitute a joint capital stock, for the purpose of constructing and carrying into operation the aforesaid railroad, or any part thereof. And it shall be the duty of the said corporators, or a majority of them, to open books of subscription as soon after the ratification of this Act as may be practicable, of which twenty days' previous notice must be given in any newspaper or newspapers in the States aforesaid; and the subscription books shall be kept open for sixty days; that, on each share of stock subscribed, the said subscribers shall pay two dollars (\$2), or its equivalent, in currency, to the corporators, who shall give a certificate for the same; and, on the non-payment of said installment, the subscription shall be void; the corporators shall deposit the money received by them on said cash installments in a solvent bank, in any of the States aforesaid, and at the expiration of every thirty days. That when the sum of one hundred and fifty thousand dollars (\$150,000) are subscribed, the said corporators, or a majority of them, shall give notice of the time and place of meeting for organization in some public newspaper in each of the States aforesaid. But if the sum of one hundred and fifty thousand dollars (\$150,000) shall not be subscribed within the first appointed time, the said corporators may, for the

A. D. 1872.

Purpose of
corporation.

Corporators.

Books of
subscription.

Capital stock.

When said
Company may
organize.

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purpose of further subscriptions to the capital stock, keep the books open for such time, and at such places, as they may deem proper: *Provided*, That the corporators shall not keep the books open for a longer period than one year, at the expiration of which time the right to solicit and receive subscriptions shall vest in the President and Directors of said company.

Corporate
name.

SEC. 4. Whenever the said sum of one hundred and fifty thousand dollars (\$150,000) is subscribed, in the manner herein prescribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby, declared to be, incorporated into a company, by the name of the "Greenwood and Augusta Railroad Company," and may organize as herein provided.

General pow-
ers.

SEC. 5. The said company, by its name above mentioned, shall have perpetual succession of members; shall hold real and personal property, may sue and be sued, may plead and be impleaded, may have and use a common seal, which they may break and use at pleasure, and make all such by-laws, rules and regulations as they may deem necessary for the well ordering and conducting the affairs of the company.

Proxy.

Election of
President and
Directors.

SEC. 6. At the first meeting of the said company, to be called by the corporators, as above stated, and at all subsequent meetings, it shall be lawful for any stockholder to be represented by proxy, whose appointment shall be in writing, signed by such stockholder; but a person not a stockholder shall not represent such proxy. A majority of two-thirds of the stockholders present, or represented by proxy, are empowered to transact any and all business connected with the company. At the first meeting of stockholders, and annually thereafter, at such time and place as may be appointed by the by-laws, they shall elect, by ballot, to serve one year, and until another election, a President and ten Directors. No person shall be elected a President or Director who is not the owner of twenty shares, which must have been held for three months prior to his election; but this does not apply to the first election herein provided for. In the election of President and Directors, in the establishment of the by-laws, and all other acts to be done by the stockholders, in their corporate capacity, each stockholder shall be entitled to one vote for every paid up share of the stock subscribed by him.

Each stock-
holder enti-
tled to one
vote per
share.

SEC. 7. That, for the purpose of acquiring such lands, or right of way, as they may require for the location and construction of the said railroad, with such depots, warehouses, stations, wharves, and other necessary establishments, or for extending or altering the same, the said company shall have every right, privilege and power heretofore granted to, and which now is, or has been used or enjoyed by,

any railroad company heretofore incorporated in either of the States aforesaid; and shall, also, be entitled to the use and benefit of every process and proceeding provided by law for enabling railroad companies, in either of the States aforesaid, to obtain such lands, or rights of way, as they require, in cases in which the consent of the owners cannot be obtained. And the said company shall have the same exclusive right of transportation on their railroad which is possessed and enjoyed by any other railroad in either of the aforesaid States. And persons trespassing, intruding, or willfully destroying any of the property of the said company, shall be liable to all penalties to which persons willfully destroying, damaging or obstructing any other railroads, or parts or parcels thereof, are made liable by any law in either of the States aforesaid. And the said company shall have the same presumptive right and title, and to the same extent, to lands through which their railroad may be built, in absence of any agreement with the proprietor or proprietors of such lands, which is possessed or enjoyed by any other railroad, in the States mentioned above, as to the lands through which their railroad may have been, or may be, constructed, in absence of any contract with the owners thereof.

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Entitled to all the rights and privileges conferred on any railroad company in the State.

SEC. 8. That it shall be lawful for the said company to increase their capital stock to any amount not exceeding two million dollars (\$2,000,000) by receiving subscriptions for additional shares, on such terms and conditions as they may think proper to prescribe; and also to borrow money for the purposes aforesaid, on such terms, and at such rates of interest as they may think proper.

Increase of capital stock.

SEC. 9. Subscriptions to the stock of said company shall be payable by installments of five dollars (\$5) on each share, after paying first installment as aforesaid, and at intervals of not less than ninety days, under such regulations as may be prescribed by the by-laws. Public notice of the time and place of payment of each installment shall be given at least twenty days beforehand; and, in case any installment or any share shall remain unpaid for the space of thirty days after the time for payment thereof, the share shall be forfeited and vested in the said company, and the defaulting stockholder released from all obligations to pay the amount unpaid on the forfeited share. The shares of the capital stock of said company shall be personal property, and shall be assignable and transferable, in such manner, and under such regulations, as may be prescribed by the by-laws.

Subscriptions payable in installments.

Shares transferable.

SEC. 10. The President and Directors of the company shall have authority to execute all the powers hereby granted to said company, subject to such limitations and restrictions as may be imposed by the by-laws. There must be an annual meeting of the stock-

Annual meetings.

A. D. 1872.

holders, at such time as may be appointed by the by-laws, at which the President and Directors shall make a report, in writing, of the affairs and condition of the company, which report shall be published in a newspaper of each of the States aforesaid. Other meetings may be called by the President or Directors, when they deem it expedient, and, also, when twenty stockholders, representing three hundred shares, shall demand the same in writing. The corporators, herein appointed, shall give a written account of all funds received by them, and of the disposition of the same, at the first meeting after the ratification of this Act. It shall be lawful for the stockholders, at any meeting, to remove the President and Directors, or any of them, from office, and elect others in their stead. The President and Directors shall have authority to draw out the money deposited in bank, by the corporators, for subscription to the stock of the company: *Provided*, That the same is only used for the interest of said company.

Removal of officers.

Time for commencing and completing road.

SEC. 11. This Act shall be in force for the term of forty years from the ratification thereof, and shall be deemed, and is hereby declared, a public Act: *Provided*, That the work, for the execution whereof the said company is formed, shall be commenced within two years from the first day of January, one thousand eight hundred and seventy-two, and be completed within eight years thereafter: *And provided, further*, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868: *Provided*, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Approved March 13, 1872.

No. 171. AN ACT TO AUTHORIZE THE MAYOR AND ALDERMEN OF THE CITY OF COLUMBIA TO ISSUE BONDS, AND TO NEGOTIATE AND SELL THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the city of Columbia are hereby authorized and

empowered to borrow money, by issuing city bonds, from time to time, to an amount which, together with the outstanding indebtedness of the city of Columbia, shall not exceed the sum of six hundred thousand dollars, it being thereby intended that the whole indebtedness thereof, whether by bonds or otherwise, shall at no time be increased beyond the said sum of six hundred thousand dollars: *Provided*, That, before such issue, the City Council shall recall and cancel the bonds issued, to the amount of two hundred and fifty thousand dollars, issued August 21, 1871, for the erection of City Hall and Market: *And provided, further*, That no part of said bonds shall be used for the purchase of any franchise or corporation.

A. D. 1872.

Authorized
to issue
bonds.Amount lim-
ited.Cancellation
of certain
bonds.

Proviso.

SEC. 2. That one moiety, or half, of each issue of the said bonds, shall be of the denomination of one thousand dollars; one-fourth part thereof, of the denomination of five hundred dollars; and the remaining one-fourth part thereof shall be of the denomination of two hundred and fifty dollars, each and all of which bonds shall be signed by the Mayor of the city, and countersigned by the City Clerk and Treasurer, and sealed with the corporate seal, and numbered consecutively from one to six hundred. Each of said bonds shall be made payable at twenty years from the date thereof, and shall bear interest at the rate of seven per centum per annum, payable semi-annually, on the first day of January, and the first day of July, of each year, with corresponding semi-annual interest coupons, signed with the written signature of the said City Clerk and Treasurer.

Denomina-
tion, style and
number of
bonds.

Interest.

When pay-
able.

SEC. 3. That no bond shall be negotiated under the provisions of this Act otherwise than by public sale, notice of which sale shall be given for at least thirty days in one newspaper published in Columbia, one in Charleston, and two in the city of New York, and that the sale of all such bonds shall be made by the Treasurer of the city of Columbia: *Provided*, That all such sales and negotiations shall be conducted in accordance with such rules and regulations as the City Council may prescribe.

Manner of
sale of bonds.

SEC. 4. That the said Mayor and Aldermen shall keep a registry of all bonds heretofore issued and now outstanding, and of all bonds which shall be issued under the authority of this Act, showing the number and amount of each bond, the date when issued, and the date of maturity, which registry shall at all times be open to the inspection of any corporator, tax payer or bond holder; and, at any time, upon the written demand of the holder or holders of bonds to the amount of fifty thousand dollars, or of corporators to the number of twenty, the said Mayor and Aldermen shall publish a detailed statement of the city indebtedness and the character of the

Registry to
be kept.Publication
of city indebt-
edness.

A. D. 1872.

same, verified by the oaths of the Mayor and of the City Clerk and Treasurer.

Special tax.

SEC. 5. That, in addition to the levy of the annual taxes for the support of the city government, the said Mayor and Aldermen shall levy, annually, a special tax for the payment of the semi-annual interest upon the bonds which shall be issued under the authority of this Act, and, also, the interest upon the bonds of the city of Columbia which have been heretofore issued by authority of law: *Provided, however,* That said bonds shall not be subject to taxation by the said City Council of Columbia: *And provided, further,* That the taxes hereby authorized to be levied and collected, for the payment of the semi-annual interest on the said bonds, shall be levied and collected from such sources, upon such property, and at such rates, as are established and designated by law as sources of revenue, subjects or objects of taxation, and at rates, for the support of the said city government.

Bonds not taxable.

Tax—on what levied.

Disposition of proceeds of sale of bonds.

SEC. 6. That the said Mayor and Aldermen are hereby authorized and directed to apply the proceeds of the sale of said bonds—first, to the payment of any debts heretofore contracted, or which may hereafter be contracted, for the construction of the new City Hall and the new Market; and, secondly, for the improvement of the streets, the extension of the water works, and for any other improvements which shall be judged advisable by the said Mayor and Aldermen: *Provided,* That no part of said bonds shall be used for the purchase of any franchise or corporation.

Prohibiting increase of debt.

SEC. 7. That the said Mayor and Aldermen are hereby prohibited from increasing the debt of the city of Columbia beyond the sum mentioned in the first Section of this Act; and, upon any attempt being made so to do, any bond holder or corporate tax payer shall have his action to enjoin the said Mayor and Aldermen from so doing.

Abstract of this Act to be printed on each bond.

SEC. 8. That said Mayor and Aldermen shall cause the provisions of this Act, or an accurate abstract thereof, to be printed on the back of each bond; and, on the face of each bond, it shall be expressed that the same is issued under the authority of this Act.

Fraudulent issue of bonds—penalty for.

SEC. 9. That if the Mayor, any Alderman of the city of Columbia, or any officer thereof, shall privately or fraudulently issue any of said bonds, he shall be adjudged guilty of felony, and, upon conviction, shall be punished by fine and imprisonment, at the discretion of the Court.

Sinking fund.

SEC. 10. That, upon the completion and occupation of the said City Hall, the said Mayor and Aldermen shall, at once, by ordinance, make provision for a sinking fund, to be based upon the net annual income derived from such parts of the said City Hall as

may be leased from them, the proceeds of which sinking fund shall be solemnly set apart for the payment of the debt, and the interest thereon, contracted in the erection of the said City Hall. And, in case the said Mayor and Aldermen shall neglect so to do, it shall be lawful for any ten citizens of Columbia, being tax payers, to have an action, on behalf of themselves and all other tax payers of the said city, to compel the said Mayor and Aldermen to establish such sinking fund, and to restrain them from using or appropriating the said income in any other way, or to any other purpose, than that herein declared.

A. D. 1872.

In case of neglect, citizens to have action.

SEC. 11. That all Acts or parts of acts, heretofore passed and now of force, authorizing the Mayor and Aldermen of the city of Columbia to borrow money upon the bonds thereof, or by issuing the stock thereof, be, and the same are hereby, repealed.

Repealing clause.

Approved March 13, 1872.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENWOOD, SOUTH CAROLINA.

No. 172.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons having resided twelve months in the town of Greenwood, in the County of Abbeville, are hereby declared to be a body politic and corporate, by the name and style of the town of Greenwood, and its corporate limits shall be an irregular polygon, the vertices of whose angles shall be at, or near, the following points, to wit: 1st. A large pine tree near J. R. Tarrant's residence, on the Abbeville road. 2d. A point on the New Market road, in a flat just beyond James Creswell's residence. 3d. The point on the road that leads to W. A. Blake's, where the Greenville and Columbia Railroad crossed. 4. The first small branch on the New Cut road, beyond J. W. Rycard's. 5th. The hollow bridge, on the Abbeville road, just beyond J. H. Oldham's residence. 6th. The junction of the Cokesbury and Stoney Point Roads.

Corporators.

Limits of town.

SEC. 2. The said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in January next, and in every year thereafter, ten days' notice being previously given; and all male inhabitants of said town, who are qualified under the Constitution of this State to vote for members of the Legislature, and who have resided therein twelve months immedi-

Officers

A. D. 1872.

Electors.

ately preceding the election, shall be eligible to the office of Intendant or Wardens. Male inhabitants, who are qualified to vote for members of the Legislature, and who shall have resided within the limits of the corporation for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Election.

Managers.

SEC. 3. The election of Intendant and Wardens of the said town shall be held at some convenient public place therein, from six o'clock in the morning until six o'clock in the evening, and, when the polls are closed, the Managers shall forthwith count the votes, declare the election, and give notice in writing to the parties elected. It shall be the duty of the Clerk of the Court for Abbeville County to give legal notice and appoint the Managers for the first election. And the Intendant and Wardens, for the time being, who shall be known as the "Town Council of Greenwood," shall give the legal notice, and appoint three persons to manage all subsequent elections, who shall manage and declare the same as herein provided for the first time of election. The Managers shall, before they open the polls for any such election, take an oath fairly and impartially to conduct the same, and the Intendant and Wardens, before entering upon the duties of their office, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant and Wardens of Greenwood, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and good order, and carry into effect, according to law, the purposes for which I have been appointed or elected: So help me God." And if any person elected Intendant and Warden shall refuse to serve as such, he shall forfeit and pay to the Town Council of Greenwood the sum of twenty dollars, for the use of said town: *Provided*, That no person shall be compelled to serve more than one year in any term of three years.

Oath of office.

Vacancy.

SEC. 4. In case a vacancy should occur in the office of Intendant or Warden, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the remaining members of the Town Council, ten days' previous notice having been given; and, in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall have power to elect one of their number Intendant *pro tem*.

Judicial powers.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all powers of Justices of the Peace, within the limits of said town, except for the trial of small and mean cases; and the Intendant shall, as often as he may deem necessary,

summon the Wardens to meet in Council, any three of whom shall constitute a quorum to transact business; and shall be known by the name of the "Town Council of Greenwood," as aforesaid; and they, and their successors in office, may have and use a common seal, which shall be affixed to all their ordinances; and, by their said corporate name, may sue and be sued, plead and be impleaded, in any Court of law or equity in this State. The said Town Council shall have full power, under its corporate seal, to make all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said town, as shall appear to them necessary and requisite for the security, welfare, good government and convenience of the same, and for preserving the health, peace and good order thereof; but no fine above the sum of twenty dollars shall be collected by said Council, except by suit in the Court of Common Pleas for Abbeville County: *Provided*, That no fine exceeding fifty dollars shall be imposed, and that nothing herein contained shall authorize the said Council to make any by-laws inconsistent with, or repugnant to, the laws of this State.

A. D. 1872.

Police regulations.

SEC. 6. That the Intendant and Wardens shall have the full and only power of granting licenses for billiard tables, to keep taverns, or retail spirituous liquors, within the said limits, which licenses shall be granted in the same manner, and upon the same condition, as they now are, or may hereafter be, granted by the County Commissioners under the laws of this State; and the powers vested in the County Commissioners are hereby granted to the said Intendant and Wardens within the said limits; and all money paid for licenses, and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within the said limits, without license, shall be appropriated to the public use of said corporation.

License.

SEC. 7. That it shall be the duty of the said Intendant and Wardens to keep all roads, ways and streets, within their corporate limits, open and in good repair; and, for that purpose, they are invested with all the powers granted to County Commissioners; and, for neglect of duty therein, they shall be liable to the same penalties as are imposed on County Commissioners. The Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets, to release such persons as may desire it, upon the payment of such sum as they may deem a fair equivalent therefor, to be applied by them to the use of said corporation; and no person residing within the said limits shall be liable to work on any roads without the said limits.

Road and street duty.

SEC. 8. The Intendant and Wardens shall have power to appoint Marshals, who shall be duly sworn in, and invested with all the

Marshals.

A. D 1872.

Violation or
neglect of du-
ty—penalty.

powers Constables have by law, and whose jurisdiction and authority shall be confined within the corporate limits of said town.

SEC. 9. That, for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment, and, upon conviction, to be fined at the discretion of the Court, not exceeding one hundred dollars, and removal from office, besides being liable for damages to any person injured.

SEC. 10. All Acts and parts of Acts heretofore passed in relation to the incorporation of the town of Greenwood be, and the same are hereby, repealed.

SEC. 11. This Act shall be taken and deemed to be a public Act, and shall continue in force for the space of twenty years from and after its passage.

Approved March 13, 1872.

No. 173. AN ACT TO INCORPORATE THE ZION BAPTIST CHURCH, OF COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, Isaac Goodwin, A. S. Night, A. Worthy, Daniel Golden, Peter Jefferson, and all other persons who now are, or who hereafter shall or may become, members of the said church, shall be, and they are hereby declared to be, a body corporate, by the name and style of the Zion Baptist Church, and by their said name shall have succession of officers and members, and have a common seal.

Corporate
name.General
powers.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and by its corporate name to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force twenty-five years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SUMTER LAND JOINT STOCK AND
LOAN ASSOCIATION, OF SUMTER, SOUTH CAROLINA.

A. D. 1872.

No. 174.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wesley Westbury, W. H. Gardner, A. L. Singleton, Richard Canty, Monday Douglas, Hamp Spencer, J. M. Tindal, Butler Spears, Samuel Lee, R. A. Wilson, Frank Washington, Mat. Brooks, Enoch Archey, James Jackson, Henry Cain, W. W. Ramsey, Hannibal Bennett, James Smiley, Jackson Simmons, W. E. Johnston, F. J. Moses, Jr., David Boyd, R. M. Andrews, Jack Bowen, Burrell James and Benjamin Lawson, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Sumter, or at any point within the County or State of South Carolina, and making loans of money, secured by mortgage of real estate, and by the hypothecation of bonds and stocks and other choses in action, and personal property, to its members and stockholders, by the name and style of the Sumter Land Joint Stock and Loan Association, of Sumter, South Carolina. The capital stock of said association to consist of twenty-five hundred shares; but as soon as one thousand shares shall have been subscribed thereto, the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments as the regulations and by-laws of said association may prescribe.

Corporators.

Purposes of
corporation.

Title.

Capital stock.

Shares—mode
of payment.

SEC. 2. That the said association shall have number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State: and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General
powers.

SEC. 3. That the funds of said association shall be invested either in the purchase of real estate in the County of Sumter,

Investment
of funds.

A. D. 1872.

South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out, or leased, or sold and conveyed to the members and stockholders of said association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security, and by hypothecation of real estate in the County of Sumter, or any other sub-division of the State aforesaid, or bonds, stocks, or choses in action on personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by, and conveyed to, it; or as may be mortgaged to it by way of security upon its loans and advances; or as may be purchased by, or transferred and conveyed to, it, at sales under judgments or decrees, at law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due wit; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

Loan of
moneys on
hand.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested, or unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest, (on such security, whether of mortgage or real estate, choses in action, or other personal property) as may be agreed on, to be safely invested, to be repaid within one year.

Division and
distribution
of assets.

SEC. 5. That, whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE ABBEVILLE AGRICULTURAL SOCIETY.

A. D. 1872.

No. 175.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. Wyatt Aiken, P. H. Bradley, Wm. H. Parker, J. S. Cothran, G. McD. Miller, W. Joel Smith, F. A. Connor, James A. Reid, J. M. Latimer, D. M. Rogers, James Pratt, A. M. Aiken, M. C. Toggart, A. W. Lawson and R. A. Griffin, and their successors in office and associates, be, and they are hereby, constituted a body politic, under the name of the "Abbeville Agricultural Society," with a capital stock not exceeding five thousand dollars, in shares of ten dollars each; with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure; to purchase and hold real estate or other property; and with all other rights, privileges and immunities that are now secured by law to incorporated bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS TO DETERMINE AND PERPETUATE THE HOMESTEAD INTO ONE ACT, AND TO AMEND THE SAME.

No. 176.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever the real estate of any head of a family, resident in this State, shall be levied upon by virtue of any mesne or final process, issued from any Court upon any judgment obtained upon any right of action, whether arising previous or subsequent to the ratification of the Constitution of the State of South Carolina, if the same be the family homestead of such person, the Sheriff or other officer executing said process, shall cause a homestead, such as said person may select, not to exceed the value of one thousand dollars, to be set off to said person in the manner following, to-wit: He shall cause three appraisers to be appointed, one to be named by the creditor, one by the debtor, and one by himself, who shall be discreet and disinter-

Homestead to be set off. Value of.

Appraisers—manner of selection.

A. D. 1872.

Duties.

Assignment
to be returned
for record in
Court.Re-appraise-
ment.In case of
refusal to
nominate an
appraiser.Personal prop-
erty exempt
from attach-
ment to be set
out as above.Duty of Sher-
riff when
homestead is
worth less
than \$1,000.Homestead—
in whom vest-
ed.

ested men, to be selected from a different neighborhood, and in no wise related to either party, resident in the County, and who shall be sworn by a Trial Justice, or a Justice of the Peace, to impartially appraise and set off, by metes and bounds, a homestead of the estate of the debtor, such as he or she may select, not to exceed the value of one thousand dollars; and the said appraisers shall proceed, accordingly, to set out the homestead, and the set-off and assignment so made by the appraisers shall be returned by the officer, along with said process, for record in Court; and if no complaint shall be made by either party within thirty days thereafter, no further proceedings shall be had against the homestead, but the residue of the lands and tenements of the head of the family, if any more or other he shall have, shall be liable to attachment, levy and sale: *Provided*, That, upon good cause shown, within thirty days after assignment of the homestead, the Court out of which the process issued may order a re-appraisement and re-assignment of the homestead, by other appraisers appointed by the Court: *And provided*, further, That should the creditors or debtor neglect or refuse, after due notice from the officer executing the process, to nominate an appraiser, then said officer shall appoint the same.

SEC. 2. Whenever the personal property of the head of any family residing in this State, whether the said person owns a homestead of real estate or not, is taken or attached by virtue of any mesne or final process issued from any Court, and said person shall claim the property, or any part thereof, as exempt from attachment and sale on account of the same being the annual product of his or her homestead, or as subject to exemption under the Constitution, and the creditor and debtor do not agree about the same, the officer executing said process shall cause the same to be ascertained, and all exempted property set out by appraisers appointed and sworn for the purpose, as provided in the preceding Section for setting out the homestead, subject to like limitations and provisions, and the residue, if any, shall be sold, for the payment of debts, which proceeding shall be stated in the officer's return of such process.

SEC. 3. That, if the homestead assigned under Section 1 of this Act shall not amount in value to one thousand dollars, then the Sheriff or other officer who shall make sale of the residue of the real estate of the person claiming the homestead shall pay to said person, in preference to all other claims, out of the proceeds of said sale, such a sum in money as will make up the one thousand dollars.

SEC. 4. That the homestead, when assigned as herein prescribed, shall vest in the heads of the family in fee simple, and be freed and

discharged from all debts and liabilities whatever, so long as he or she shall remain resident in this State, and no longer.

A. D. 1872.

SEC. 5. That the head or heads of any family to whom a homestead shall have been assigned under this Act, may sell and dispose of the same, and execute good and legal titles thereto: *Provided*, They shall deposit the money arising from the sale thereof in the custody of the Sheriff of the County, until they shall purchase another homestead within the limits of this State; the said Sheriff to be responsible for the money so deposited upon his official bond.

Sale of homestead

Proceeds deposited with Sheriff.

SEC. 6. That the said Sheriff shall not pay out the money so deposited, except to the person from whom the head or heads of the family may purchase another homestead, as hereinbefore prescribed, or so much thereof as will pay for the same. The residue of the money deposited, if any, shall then be paid to the person or persons who deposited the same: *Provided*, That if another homestead shall not be purchased, within the limits of this State, within three months from date of deposit, the Sheriff, or other officer, shall apply the money so deposited to the payment of the debts due from the depositor, if any there be.

Sheriff to pay moneys to person from whom homestead is purchased.

Proviso

SEC. 7. That the exemptions contained in the preceding Sections of this Act shall not extend to an attachment, levy or sale on any mesne or final process issued to secure or enforce the payment of taxes or obligations contracted for the purchase of said homestead, or obligations contracted for the erection of improvements thereon: *Provided*, The Court or authority issuing said process shall certify thereon that the same is issued for some one or more, and no other, of said purposes: *Provided, further*, The yearly product of said homestead shall be subject to attachment, levy and sale, to secure or enforce the payment of obligations contracted in the production of the same; but the Court issuing the process therefor shall certify thereon that the same is issued for said purpose, and no other.

Homestead, when subject to attachment and sale.

SEC. 8. The widow and minor children of any deceased father or husband shall be entitled to the right of the homestead. When a widow or minor children are entitled to an estate or right of homestead, the same shall be set off, and the title executed to the parties entitled by the Judge of the Probate Court, who shall appoint three disinterested persons, resident in the County, who, having been duly sworn, shall proceed to appraise and set out, by mates and bounds, such homestead, and make return to him. If no complaint shall be made against said appraisal and setting out of the homestead, within thirty days thereafter, by any party interested therein, the same shall be confirmed by the Judge, and ordered accordingly.

Rights of widow and minor children.

SEC. 9. That one-third of the annual products of agricultural laborers, mechanics, artisans and tradesmen of every description,

One-third of annual products exempt from attachment and sale.

A. D. 1872.

without regard to valuation, character or condition of products or earnings, shall be exempt from attachment, levy and sale, except to enforce the payment of taxes.

SEC. 10. That no Sheriff, Constable, or other officer, whose duty it is to enforce executions, shall proceed in any other manner than is prescribed in this Act.

Penalty for
violation of
this Act.

SEC. 11. Should any officer sell any real estate, or sell or remove any personal property, of the head of any family, whether the head of such family is a freeholder or not, without his or her consent, in violation of the provisions of this Act, and of Section 32 of Article 2 of the Constitution of the State of South Carolina, he shall be deemed guilty of malfeasance in office, and, on conviction thereof, shall, for the first offense, be fined in a sum not less than five hundred (500) dollars, nor more than one thousand (1,000) dollars; and, for the second offense, shall be dismissed from office; and, in either case, shall be liable to the parties for all injuries by reason of his wrongful levy or sale.

Compensa-
tion of Ap-
praisers and
Trial Justices.

SEC. 12. Appraisers appointed to set out the homestead, under this Act, shall receive, as compensation, two dollars each, per day, and five cents a mile for every mile necessarily traveled, for such services. The Trial Justice, or Justice of the Peace, who qualifies the appraisers, shall receive seventy-five cents, and five cents a mile for every mile necessarily traveled, for such services. The foregoing fees shall be paid by the officer executing the process out of the property of the debtor; or, in case of the homestead set out to a widow or minor children, out of the estate of the deceased, by the executor or administrator thereof. The Sheriff is hereby authorized to retain two and one-half per cent. on every one hundred dollars deposited with him, as directed by this Act, as compensation for receiving and paying out moneys so deposited.

Fees, by
whom paid.

SEC. 13. All Acts or parts of Acts inconsistent with this Act, or supplied by it, be, and the same are hereby, repealed.

Approved March 13, 1872.

No. 177.

AN ACT TO EXEMPT THE KEEPERS, EMPLOYEES AND OTHER OFFICERS OF THE SOUTH CAROLINA PENITENTIARY AND LUNATIC ASYLUM FROM MILITARY AND OTHER DUTIES.

Exempt from
jury, military
and street
duty.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, all guards, keepers, employees and other officers that

are now, or may hereafter be, employed at the South Carolina Penitentiary and Lunatic Asylum, shall be exempted from serving on juries, and from military, road or street duty.

A. D. 1872.

Approved March 13, 1872.

AN ACT FOR THE PROTECTION OF BUOYS AND BEACONS.

No. 178.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, Any person or persons who shall moor any vessel, scow, boat or raft to any buoy, or beacon, or floating guide, placed by the United States Light House Board in the navigable waters of this State, or who shall, in any manner, make fast thereto any vessel, boat, scow or raft; and any person or persons who shall wilfully destroy, injure or remove any such beacon or guide, shall forfeit and pay a sum not exceeding one hundred dollars, or be imprisoned in the common jail not exceeding three months.

Penalty for disturbing or injuring beacons or guides.

SEC. 2. Said forfeitures may be recovered by an action of tort, complaint or indictment, before any Court competent to try the same; one-half accruing to the informer or complainant, and the other half to the County in which the trial shall be had.

Forfeitures—how recovered.

Approved March 13, 1872.

AN ACT TO SUPPLY THE DEFICIENCY IN THE APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF FREE COMMON SCHOOLS FOR THE FISCAL YEAR ENDING OCTOBER 31, 1871.

No. 179.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of seventy-five thousand dollars (\$75,000) be, and the same is hereby, appropriated to supply the deficiency in the appropriation for the support and maintenance of Free Common Schools for the fiscal year ending October 31, 1871.

Amount appropriated.

SEC. 2. That each of the several Counties of the State shall be entitled to receive from said deficiency appropriation such a sum of money as is equal to the exact deficiency existing in the Free

Each County to receive exact amount of deficiency.

A. D. 1872.

School Funds of said County, for the fiscal year ending October 31, 1871, and no more.

Superintendent of Education to issue an order in favor of County Treasurers.

SEC. 3. That the State Superintendent of Education, upon his receipt of an official statement, signed by the County School Commissioner and County Treasurer of any County, and showing the deficiency existing in the Free School Funds of said County, for the fiscal year ending October 31, 1871, shall, if he approve said statement, issue an order in favor of the County Treasurer of the County aforesaid, payable from the appropriation made by Section 1 of this Act, for a sum of money equal to the deficiency shown by the aforesaid statement.

Appropriation to be disbursed only on his order.

SEC. 4. That no part of the appropriation created by Section 1 of this Act shall be disbursed by the State Treasurer, except upon order of the State Superintendent of Education, nor shall the said appropriation, or any part thereof, be applied, appropriated or used for any other purpose than is specified by the terms of this Act.

SEC. 5. That this Act shall be deemed a public Act, and shall take effect immediately.

Approved March 13, 1872.

No. 180. AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF LOWNDESVILLE, ABBEVILLE COUNTY, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Lowndesville, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Lowndesville, and its corporate limits shall extend in every direction one-half mile within its present limits, to be fixed as a centre by a majority of the inhabitants of said village.

Corporate limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have resided in this State twelve months, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in September, 1872, and every year thereafter, on the first Monday in April, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of

Electors.

the State, and who shall have resided in this State twelve months, and in said town for sixty days immediately preceding the election, shall be entitled to vote for Intendant and Wardens.

A. D. 1872.

SEC. 3. That the election for Intendant and Wardens of said town shall be held in some convenient house, or some other convenient public place in the said town, from six o'clock A. M., until six o'clock P. M., and, when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, from any cause whatever, it shall be the duty of the Clerk of Court of Abbeville County to order such election forthwith, and appoint three Managers for the same. The Managers in each case shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Lowndesville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the first Monday in April ensuing, and until their successors shall be elected and qualified.

Election.

Managers.

Oath of office.

Term of office.

SEC. 4. That if in any case a vacancy shall occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of Intendant and Wardens, (or Warden, as the case may be,) or the Clerk of Court of Abbeville County, if there should be no Intendant or Wardens, ten days' notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Vacancy.

SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the power and jurisdiction of Magistrates within the limits of said town, and the Intendant shall, and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the

Judicial powers.

A. D. 1872.

Marshals.

Town Council of Lowndesville; and they, and their successors hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town, as the said Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof; which persons, so appointed, shall, within the limits of said town, have the powers, privileges and emoluments, and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be removed at the pleasure of the said Town Council; and the said Town Council shall have power to establish, or to authorize the establishment of, the market house in said town; and the said Town Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances, respecting the streets, roads, market house, and the business thereof, and the police system of said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have the same power which Magistrates now have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for a violation of any of these by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in the Court of Common Pleas: *And provided, also,* That no fine shall exceed fifty dollars, and, also, that nothing herein contained shall authorize the said Council to make any by-laws or ordinances inconsistent with, or repugnant to, the laws of this State; and all the by-laws, rules and ordinances the said Council may make shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Police regulations.

Fines.

Nuisances

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town; and it shall, also, be their duty to keep all roads, ways and streets, within the corporate limits of the said town, open and in good repair; and, for that purpose, they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be, prescribed by law: *Provided,* That the said Town Council may

Road and street duty.

compound with persons liable to perform such duty, upon such terms, and on the payment of such sums, as may be established by laws or ordinances: *And provided, also,* That the individuals who compose the said Town Council shall be exempt from the performance of road and police duty; and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.

A. D. 1872.

SEC. 7. That the power to grant or refuse license for billiard tables, to keep tavern, or retail spirituous liquors within the limits of said corporation, be, and the same is hereby, vested in the Town Council of Lowndesville. And the said Town Council may grant licenses to retail spirituous liquors to such persons, and in such quantities, at such rates, and upon such terms and conditions, as the said Council may deem just and proper. And the said Intendant and Wardens shall have the full and only power to impose a tax on all shows or exhibitions, for gain or reward, within the city limits. And all money paid for license for retailing spirituous liquors, keeping taverns and billiard tables, and the tax for all shows for gain or reward, within said limits, shall be appropriated to the public use of said corporation: *Provided,* That in no instance shall the price of a license to keep tavern or retail spirituous liquors be less than the amount that is established by the State: *And provided, further,* That the Intendant and Wardens, duly elected, shall not have power to grant any license to keep tavern or retail spirituous liquors to extend beyond the term for which they have been elected.

Licenses.

SEC. 8. That the said Town Council of Lowndesville shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the Town Council. And for default or refusal to make and keep in repair such sidewalks, the Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing: *Provided,* That such contracts for making or repairing be let to the lowest bidder.

Sidewalks.

SEC. 9. That the said Town Council of Lowndesville shall have power to arrest and commit to jail, for a space of time not exceeding twelve hours, and to fine not exceeding twenty dollars, or, in lieu thereof, to work the public roads, streets, bridges, &c., within said corporate limits, twenty days, any person or persons who may be guilty of disorderly conduct in said town, to the annoyance of citi-

Power to arrest and commit to jail.

A. D. 1872.

zens thereof; and it shall be the duty of the Marshal of the town to make such arrests, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to perform such duty, he shall be fined in a sum not more than twenty dollars, for each and every offense.

Annual taxation.

SEC. 10. That the said Town Council of Lowndesville shall have power to grant or refuse licenses to parties within the limits of said town, and the parties to whom such licenses are granted shall be subject to such regulations as may, by ordinance, be established. They shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed, in any one year, to exceed the rate of ten cents on each hundred dollars of such assessed property; and that the money so raised shall be applied to the use of said town. The said Town Council shall have power to enforce the payment of all taxes levied by said Town Council, to the same extent and in the same manner as is now, or hereafter may be, provided by law for the collection of the general State taxes.

Sales at auction.

SEC. 11. That the said Town Council of Lowndesville shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales by Sheriff, Clerk of the Court, Judge of Probate, Coroner, Executor or Administrator, Assignee in Bankruptcy, or by any other person out of the order or decree of any Court, Justice of the Peace or Magistrate.

SEC. 12. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

No. 181. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE ROMAN CATHOLIC CHURCH, OF SAINT MARY'S, CHARLESTON.

Extension of charter.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Roman Catholic Church, of Saint Mary's, Charleston, be, and the same is hereby, extended and continued until repealed, with all the rights, powers and privileges heretofore granted; and the official transactions of the vestry and corporators of the said Church, since the expiration of its charter, so far as consistent

with the powers granted thereby, shall be legal and valid to all intents and purposes.

A. D. 1872.

Approved March 13, 1872.

AN ACT RELATIVE TO THE FEES OF THE STATE LAND COM- No. 182.
MISSIONER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all fees which have been collected of actual purchasers or settlers upon the State lands, in the different Counties of the State, by the State Land Commissioner, or under his direction, by his sub-assistants or agents, which fees have been by him appropriated to his own use or profit, the same shall, in the aggregate, be deducted from his salary, if not yet paid, or if his salary has been paid, the same shall be refunded to the Treasury of the State, within thirty days from the passage of this Act; and, if not refunded within that time, the surety or sureties of the said Land Commissioner shall be jointly and severally liable for the payment of said amount.

Land Com-
missioner to
refund all fees
collected
from settlers
on State lands.

SEC. 2. That in all cases where the sum of ten dollars, or any other amounts, have been collected from the actual settlers upon, or purchasers of, the State lands, by order of the Land Commissioner, through his sub-assistants, or otherwise, as fees for titles, or other papers, the same shall be credited to the said settlers, or purchasers, as part payment for the said land.

Moneys col-
lected as fees
to be applied
in payment of
principal.

Approved March 13, 1872.

AN ACT TO AMEND AN ACT, PASSED AT THE PRESENT SES- No. 183.
SION, ENTITLED "AN ACT TO REVIVE AND EXTEND THE CHAR-
TER OF THE RELIEF LOAN ASSOCIATION, OF CHARLESTON."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the first Section of the Act to revive and extend the charter of the Relief Loan Association, of Charleston, be so amended as to read: "Passed on the twen-

A. D. 1872.

ty-first day of December, in the year of our Lord, one thousand eight hundred and fifty-seven," instead of the "twentieth day of December, in the year of our Lord, one thousand eight hundred and fifty-six."

Approved March 13, 1872.

No. 184. AN ACT TO INCORPORATE THE UNION BAPTIST CHURCH, OF LAURENS COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated, and are declared to be a body corporate, by the name and style of the Union Baptist Church, and, by the said name, shall have succession of officers and members, and have a common seal.

Powers and privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws (not repugnant to law) as may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

No. 185. AN ACT TO INCORPORATE THE DARLINGTON LAND JOINT STOCK AND LOAN ASSOCIATION, OF DARLINGTON, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard H. Humbert, T. C. Cox, S. J. Keith, J. A. Smith, William Braley, J. A. Williamson, P. C. Fludd, Alfred Hart, Edward Mickey, A. P. Ford, Richard Ford, F. J. Pugh, Adam Briston, Wm. Grant, J. D. Warley, A. L. Singleton and J. W. Thomas, together with such other persons as now are, or hereafter may be, associated with them,

be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Darlington, or at any point within the County, or the State of South Carolina, and making loans of money, secured by mortgages of real estate and the hypothecation of bonds, stocks, and other choses in action, and personal property, to its members and stockholders, by the name and style of the Darlington Land Joint Stock and Loan Association, of Darlington, South Carolina. The capital stock of said association to consist of five thousand shares, of the value of twenty-five dollars per share; but as soon as two thousand shares shall have been subscribed thereto, the said association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

A. D. 1872.

Objects of
corporation.Corporate
name.

Capital stock.

SEC. 2. That the said association shall have number and succession of officers and members as shall be ordained and chosen, according to the rules and by-laws made, or to be made, by them for their government, and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General pow-
ers.

SEC. 3. That the funds of the said association shall be invested either in the purchase of real estate, in the County of Darlington, South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out or leased, or sold and conveyed, to the members and stockholders of said association upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in the County of Darlington, or any other sub-division of the State aforesaid, or bonds, stocks or choses in action on personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by, and conveyed to, it; or as may be mortgaged to it, by way of

Investment
of funds.

A. D. 1872.

security, upon its loans and advances; or as may be purchased by, or transferred and conveyed to, it, at sales under judgments or decrees, at law or equity, for securing or recovering, or in compromise settlement of, any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed expedient.

May loan out
moneys on
hand.

SEC. 4. That if any of the funds of the said association shall remain unproductive, or uninvested and unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether of mortgage of real estate, choses in action, or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year.

Division and
distribution
of assets.

SEC. 5. That whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, such stockholders, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That, in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond twenty years.

Penalty for
misappropri-
ating moneys
of Associa-
tion.

SEC. 6. That if any officer or sub-officer of the said association shall use the moneys of said association, other than those prescribed by this Act, he shall, on proof thereof, be deemed guilty of a misdemeanor, and sentenced to pay a fine of twice the amount of money so appropriated, and imprisonment for a term of not less than six months.

SEC. 7. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved March 13, 1872.

No. 186.


AN ACT TO INCORPORATE THE TOWN OF NINETY-SIX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Ninety-Six, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called

Corporators.

and known by the name of Ninety-Six, and its limits shall be deemed and held to extend one half a mile in each direction from the Greenville and Columbia Railroad Depot, at said place.

A. D. 1872.


 Corporate limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1872, as well as on the first Monday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof, in writing, being previously given; and that all the male inhabitants of said town, of the age of twenty-one years, who have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from seven in the morning, until six o'clock in the evening, when the poll shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and the following oath, to wit: "As Intendant (or Warden) of Ninety-Six, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

Electors.

Election.

Managers.

Oath of office.

SEC. 3. That in case a vacancy shall occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held, by appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' public notice thereof, as aforesaid, being given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancy.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justice and Justice of the Peace in this State, in matters civil and criminal, within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Ninety-Six; and they

Judicial powers.

A. D. 1872.

Marshals.

Police regulations.

Nuisances.

Road and street duty.

May hold and dispose of property.

and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officer shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations by the laws of this State, for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars. All fines may be collected by an action for debt, before a proper tribunal.

SEC. 5. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce the performance of the same, under the same penalties as are now, or hereafter may be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with the persons liable to perform such duty, under such terms as they shall, by ordinance, establish.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the Commissioners of Roads within the limits of said town; and, for neglect of duty, they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they are hereby individually exempt from the performance of road and public duty; and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.

SEC. 8. That the said Town Council of Ninety-Six shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given,

bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held, or stock invested, shall, in no case, exceed the sum of twenty thousand dollars.

A. D. 1872.

SEC. 9. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifteen cents on the one hundred dollars.

Annual taxation.

SEC. 10. That the Intendant and Wardens of the town of Ninety-Six shall have power to regulate sales at auction within the limits of said town, and grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Courts, Judge of Probate, Coroners, Executors, Administrators, Assignees, or by any other person under the order of any Court or Magistrate.

Sales at auction.

SEC. 11. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said town of Ninety-Six, to keep in repair the sidewalks adjacent to their lots, respectively, and, for default in this matter, shall have power and authority to impose a fine not exceeding fifteen dollars.

Sidewalks.

SEC. 12. That the authority to refuse or grant licenses to keep a tavern or retail intoxicating drinks be, and the same is hereby, vested in the Town Council of Ninety-Six; and that they be also invested with all the necessary power, by ordinance or ordinances, to suppress or regulate the sale of intoxicating drinks, to be drunk at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or out-houses of the said town, or within half a mile of the Greenville and Columbia Railroad Depot, in said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until amended or repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE PEOPLE'S SAVINGS INSTITUTION.

No. 187.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alva

<p>A. D. 1872. { Corporators.</p>	<p>Gage, R. Tomlinson, G. I. Cunningham, C. H. West, R. S. Bruns, S. S. Howell, B. C. Pressley, J. H. Wilson, W. Ufferhardt, J. B. Betts, C. L. Burckmeyer, John Hanckel, John H. Devereaux, W. McBurney, W. Y. Leitch, R. Adger, Zimmerman Davis, W. A. Kelly, D. A. Amme, H. Gerds, H. S. Griggs and O. R. Levy, be, and they are hereby, created a corporation, by the name and title of the People's Savings Institution; and that they and such others as shall be duly elected members of said corporation, as in this Act provided, shall be a body politic and corporate, by the same name and title.</p>
<p>Deposits.</p>	<p>SEC. 2. That the said corporation shall be capable of receiving, on deposit, from any person or persons disposed to obtain and enjoy its advantages, all sums of money that may be offered for that purpose; and on receipt of any deposit, it shall deliver to the depositor a book, in which shall be entered all sums deposited.</p>
<p>Investment of deposits.</p>	<p>SEC. 3. That all deposits of money received by the said corporation may be invested in any public stock or bonds, created by virtue of any law of this State, or any ordinance of the city of Charleston, or in the capital stock of any bank within this State, or in United States bonds or stock, or bonds or stock of any city or State in the United States, or in the stocks or bonds of any railroad company incorporated in this or any other State, or loaned on promissory notes, secured by pledge of such stocks, at not more than seventy-five per centum of their par value, or on bonds secured by mortgage of real estate, lying and being within the Parishes of St. Philip and St. Michael, in the County of Charleston;</p>
<p>Division of profits.</p>	<p>and the income and profit thereof shall be applied and divided among the persons making the said deposits, or their legal representatives, after making such reasonable deductions as may be necessary for expenses, in proportion to the sums by them deposited, and to the length of time during which such deposits may have remained in the institution; and the principal of such deposits shall be repaid to each depositor at such times, and under such regulations as the said corporation shall prescribe, the substance of which regulations shall be printed in the book of deposit received by each depositor: <i>Provided</i>, That the corporators in the said corporation shall be liable to the amount of their respective share or shares of stock in said Banking Institution for all its debts and liabilities upon note, bill or otherwise: <i>And provided, further</i>, That no Director, or other officer of said corporation, shall borrow any money from said corporation; and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, they shall be punished by a fine or imprisonment at the discretion of the Court.</p>
<p>Liability of corpora- tors.</p>	

SEC. 4. That the said corporation shall have power to elect new members by ballot at their semi-annual meetings in January and July each year; and any member, upon filing a written notice with the President thereof, three months prior, may, at any such meeting of said corporation, withdraw and forever dissolve his connection with the same.

A. D. 1872.

New members.

SEC. 5. That the said corporation may have a common seal, which they may change and renew at pleasure; and that all deeds, conveyances and grants, covenants and agreements made by their Treasurer, or any other person, by their authority and direction, according to their rules, shall be good and valid; and the corporation shall, at all times, have power to sue and be sued, and may defend, and shall be held to answer by the name and title aforesaid; and may acquire, take, hold and convey such real estate as may be deemed desirable for its place of business, or necessary for it to purchase in foreclosing or settling such mortgages as it may hold as security for loans.

General powers.

SEC. 6. That the said corporation shall hereafter meet at Charleston, some time in the month of January, annually, and as much oftener as they may deem expedient; and any seven members of the said corporation, the President, Vice-President, Secretary or Treasurer being one, shall be a quorum; and the said corporation, at their annual meetings in January, shall have power to elect a President, Vice-President, Secretary and Treasurer, and twenty Trustees, all of which said officers shall be sworn to the faithful performance of their duties, and shall hold their offices and manage and direct the affairs of the said corporation until their successors shall be duly elected and qualified.

Annual meetings.

Election of officers.

SEC. 7. That the said corporation are hereby vested with the power of making by-laws and regulations for the more orderly managing the business of the corporation: *Provided*, The same are not regnant to the Constitution and laws of this State.

By-laws and regulations.

SEC. 8. That any two persons herein named may call the first meeting of the corporation, by advertising it in any two of the daily papers published in the city of Charleston.

First meeting—by whom called.

SEC. 9. That the Treasurer of said corporation shall give bond to the satisfaction of the Trustees for the faithful discharge of the duties of his office.

Treasurer to give bonds.

SEC. 10. That the Treasurer of said corporation shall, as soon as may be, after the annual meeting in January, publish in one or more of the daily papers of the city of Charleston, a statement of the concerns of the said corporation, which statement shall specify the following particulars, namely: Number of depositors, total amount of deposits, amount invested in bank stock, amount in-

Publication of annual statement.

A. D. 1872.

vested in State or city stock, amount invested in United States bonds or stock, amount invested in railroad stocks or bonds, loans on mortgages of real estate, loans on notes secured by pledge of stock, amount of cash on hand, total dividends for the year, annual expenses of the corporation; all of which shall be certified and sworn to, or affirmed, by the Treasurer; and five or more of the Trustees of said corporation shall also certify that the same is correct, according to the best of their knowledge and belief.

SEC. 11. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 13, 1872.

No. 188. AN ACT TO INCORPORATE THE CITIZENS' BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William B. Heriot, Hutson Lee, B. S. Rhett, H. L. P. McCormick, William B. Steedman, William Thayer, L. D. Mowry, T. A. Wilber and V. J. Thomas, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Charleston, South Carolina, and making loans of money, secured by mortgages of real estate and the hypothecation of bonds, stocks and other choses, and personal property, to its members and stockholders, and others, by the name and style of the "Citizens' Building and Loan Association, of Charleston." The capital stock of said association to consist of two thousand five hundred shares; but, as soon as one thousand shares are subscribed thereto, the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from

time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and the laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

A. D. 1872.

SEC. 3. That the funds of the said association shall be invested, either in the purchase of real estate in the County of Charleston, South Carolina, which shall be rented out or leased, or sold and conveyed to the members and stockholders of said association, upon such terms and conditions and estates as, from time to time, may be prescribed by its rules and by-laws; or be loaned out and advanced to the members and stockholders thereof, upon the security and hypothecation of real estate in Charleston aforesaid, or bonds, stocks or choses in action, or personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements, hereditaments and appurtenances as may be *bona fide* purchased by and conveyed to it, or as may be mortgaged to it by way of security upon its loans and advances, or as may be bought by or transferred and conveyed to it at sales under judgments or decrees at law or equity for securing and recovering, or in compromise settlement of any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage or otherwise dispose of the same, from time to time, and whenever deemed necessary and expedient. The stockholders in this association shall be severally liable for all debts and obligations created or contracted by the association to an amount double the amount of their stock.

Investment of funds.

Liability of stockholders.

SEC. 4. That, if any of the funds of the said association shall remain unproductive, or uninvested, and uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest as may be agreed on, to be safely invested, and to be repaid within one year.

May loan out moneys on hand.

SEC. 5. That, whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made,

Division and distribution of assets.

A. D. 1872.

then the said association shall cease and determine: *Provided, however,* That, in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 6. That this Act shall be deemed a public Act, and be given and received in evidence, without being specially pleaded.

Approved March 13, 1872.

No. 189.

AN ACT TO CHARTER THE VILLAGE OF LISBON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and after the passage of this Act, all and every person or persons who shall have resided in the corporate limits of the village of Lisbon, in the County of Darlington, State of South Carolina, for two months, are hereby declared to be members of the corporation hereby to be created. That the said persons shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the village of Lisbon, and its corporate limits shall extend one-half mile from "cross-roads," so-called, in every direction.

Corporate limits.

Entitled to powers conferred by charter on town of Florence.

SEC. 2. That the powers and duties of the officers of the village, the government of the same, and all things pertaining to the charter of said village, shall be the same as provided for in an Act entitled "An Act to incorporate the town of Florence," approved March 9, 1871, excepting only the corporate limits.

SEC. 3. This Act shall be deemed a public Act, and continue in force until amended or repealed.

Approved March 13, 1872.

No. 190.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RE-NEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12 of an Act entitled "An Act to grant, renew and amend the char-

ters of certain towns and villages therein mentioned," be amended by inserting between the words "officers," on the ninth line, and "the," on the tenth line, the following: "And the said Intendant and Wardens shall have the power to bring before them, when sitting in Council, all offenders against the by-laws and ordinances of the said town, and to punish, by fine, the same; and, in case such person so fined shall fail to pay the same, the said Intendant and Wardens shall have power to compel the offender to work upon the public roads or streets, allowing them a fair valuation for such work, until the fine be cancelled."

A. D. 1872.

Punishment
of offenders.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of the above Act, be, and the same are hereby, repealed.

Approved March 13, 1872.

AN ACT TO ESTABLISH A CAUSEWAY OVER BIG SALTKEHATCHIE SWAMP, AT WALNUT POINT, CONNECTING THE COUNTIES OF COLLETON AND BEAUFORT.

No. 191.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, on and after the passage of this Act, it shall be competent for the parties hereinafter named to establish and construct a good and substantial causeway across Big Saltkehatchie Swamp, at Walnut Point, connecting the Counties of Colleton and Beaufort.

Causeway
across Big
Saltkehatchie
Swamp.

SEC. 2. That the causeway hereby authorized to be established be, and the same is, vested in C. F. Petit, G. W. Petit, John Burnett and Wm. Nettles, and their associates and successors, for the term of fourteen (14) years: *Provided*, Said company, or corporation, shall comply with the requirements hereinafter named.

In whom
vested.

SEC. 3. That it shall be the duty, and it is hereby made one of the provisions of this charter, that the causeway herein contemplated to be established shall be constructed within twelve months from the passage of this Act; shall be built of good and sound material, and always be kept in good repair, and shall be, when constructed, at least twelve (12) inches above tide water, and its abutments be of such a character as to resist, in the event of a freshet, its being washed away; and for the better carrying out of this provision, it is hereby made the duty of the Commissioners of Roads of the Counties hereinbefore named, to inspect said causeway

When to be
completed.Manner of
construction.Duty of
Commission-
ers of Roads.

A. D. 1872.	in course of construction, and after completion, and see that the foregoing specified requirements be complied with.
Rates of toll.	<p>SEC. 4. They shall be authorized to ask, demand and receive for crossing the said causeway, when completed, the following rates of toll: For each foot passenger, the sum of five cents; each passenger on horseback, ten cents; each carriage or vehicle drawn by one horse, twenty cents; each carriage or vehicle drawn by two horses, thirty cents; each carriage or vehicle drawn by four horses, fifty cents; each loose horse or mule, five cents; each head of cattle, goats, sheep or hogs, two cents: <i>Provided, however,</i> No toll shall be exacted from a minister attending his circuit, officers in the discharge of their duties, voters attending the poll, and children going and returning from school.</p>
Persons exempted.	

Approved March 13, 1872.

No. 192. AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF THE SULLIVAN'S ISLAND FERRY COMPANY, AND TO MODIFY THE CHARTER OF THE MOUNT PLEASANT FERRY COMPANY, AND FOR OTHER PURPOSES.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Douglass Nesbitt, John B. Conner, D. F. Fleming, Henry Jones, William Gregg, Charles J. Andell, W. R. Jervy, and such other persons as may become members, be, and they are hereby, declared a body politic and corporate, by the name of the Sullivan's Island Ferry Company, for the purpose of conveying passengers and transferring goods, wares and merchandise between the city of Charleston and Sullivan's Island, in the County of Charleston, and between the said city and any other place or places; and by that name may sue and be sued, plead and be impleaded, in any Court in this State; may have a common seal; may purchase, hold and convey real estate to any amount not exceeding forty thousand dollars; and may have and enjoy all the rights, powers and privileges incident to a corporation.
Corporators.	
Purpose of corporation.	
Powers.	
Capital stock.	<p>SEC. 2. That the capital stock of said company shall be thirty thousand dollars, with a privilege of increasing the same, from time to time, to any amount not exceeding one hundred thousand dollars. And every member of the said company shall be individually liable for all debts contracted during the time he or she shall be a member</p>
Liability of members.	

or shareholder in the said company to the extent of the par value of his or her shares in the same, and shall be answerable in any action at law therefor against him or her, notwithstanding the non-joinder of the other shareholders or any of them, at any time after the return of *nulla bona* may have been made by the Sheriff of Charleston County, upon any execution issued against the said company. But nothing herein contained shall be construed to deprive any of the shareholders of any equitable rights against the creditors or the other shareholders of the said company.

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Meetings.

SEC. 3. That the first meeting of the said corporation may be called by the persons, or a majority of them, named in this Act, at such time and place as they may think fit, after due public notice thereof. And at said meeting, or any subsequent meeting, said corporation may make, alter, amend or repeal such by-laws and regulations for the organization of the same, and the management of the business thereof, as a majority of the stockholders may direct: *Provided*, The same be not inconsistent with, or repugnant to, the Constitution and laws of this State, or the United States.

By-laws and regulations.

SEC. 4. That this Act shall be taken and deemed to be a public Act; shall be and continue of force for the term of fourteen years.

SEC. 5. That the several Acts of December 20, 1856, and of December 21, 1865, relating to the charter of the Mount Pleasant Ferry Company, be, and the same are hereby, repealed; and all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE FARMERS', LABORERS' AND MECHANICS' LAND COMPANY, OF ORANGEBURG COUNTY, SOUTH CAROLINA.

No. 193.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Moore, Henry Wallace, J. L. Jamison, E. J. Cain, Isaac Speaker, Christian Green, T. C. Andrews, B. Byas, George Bolivar, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Farmers', Laborers' and Mechanics' Land Company, of Orangeburg County, South Carolina."

Corporators.

Corporate name.

A. D. 1872.

Powers and
privileges.

SEC. 2. That the said corporation hereby created and established shall have power to make such by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; and to have and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be, in any manner whatsoever, acquired by the said corporation: *Provided*, The amount so held shall not exceed the sum of one hundred thousand dollars.

Investment
of its funds.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets and all other property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property, or by surety, in such sums, and on such terms and conditions, as they may deem proper; and it shall be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer all of its property, real and personal, as and when it may deem proper and expedient; and to make and execute bonds, under their corporate seal, with or without mortgage, for the purchase of real or personal property.

Liability of
corporators.

SEC. 4. That the real and personal property of each corporator shall be liable for the debts of said corporation, in any amount not exceeding the par value of the stock held by him.

SEC. 5. That this Act shall continue in force until repealed, and the same shall be deemed a public Act, and may be given in evidence without being specially pleaded.

Approved March 13, 1872.

NO. 194. AN ACT TO CHARTER THE UNION SAVINGS BANK, OF COLUMBIA, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. L. Leaphart, John Meighan, J. P. Southern, G. M. Walker, Wm. Glaze, Richard Wearn, W. B. Nash, Wm. Simons, James Davis and Geo. Symmers, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Union Savings Bank, of Columbia, South Carolina; and, by that name and style, shall be, and is hereby, made capable in law to have, purchase, enjoy and retain, to it and its successors, lands,

Corporate
name.Powers and
privileges.

rents, tenements, goods, chattels and effects, of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in Courts of Record, or any other place whatsoever; and, also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State, or the Constitution thereof.

A. D. 1872.

SEC. 2. The capital stock of said corporation shall not be less than twenty thousand dollars, which may be increased from time to time to a sum not exceeding five hundred thousand dollars, and shall be paid in and accumulated as hereinafter provided.

Capital stock.

SEC. 3. The said corporation shall have power and authority to invest its capital stock, or other funds, in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company; to lend money upon personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange or other evidences of debt.

Investment of funds.

SEC. 4. The said corporation shall receive deposits from any person or persons, and all such deposits shall be invested as the Board of Directors may deem most advantageous, and in accordance with Section third, and interest shall be allowed to the depositors thereof as may be directed or provided for by the by-laws of the institution.

Deposits.

SEC. 5. Each subscriber to stock in this bank shall, on or before the fifth day of each month, pay, at the office of the bank, one dollar per share of his or her subscription, and any subscriber failing to do so, shall be fined five cents per share for such delinquency, and, for each succeeding ten days of such delinquency, ten cents per share additional; and if, at the expiration of two months, such delinquency shall still exist, the stock shall be sold at public auction, the proceeds of which shall be paid to such delinquent stockholder, after deducting all fines that may be charged against him, and his proportion of all losses sustained, and expenses incurred by the institution in the course of its business.

Monthly payment on shares.

SEC. 6. As soon as the stock becomes of the value of one hundred dollars per share, scrip shall be issued to each stockholder for the number of shares standing in his or her name, on the books of the institution, signed by the President and Cashier, with the corporate

Issue of scrip.

A. D. 1872.

seal of the bank affixed, from which time the payment of monthly installments shall cease.

Withdrawal
of stock hold-
ers.

SEC. 7. Any stockholder, at any time prior to the stock becoming of the value of one hundred dollars per share, may withdraw from the institution, upon written notice being given at any regular meeting of the Board of Directors, and at the expiration of ninety days the institution shall pay to said stockholder the actual value of his or her stock at the date of notice of withdrawal, the monthly installments of such stockholder ceasing from date of said notice; or said stockholder may sell his or her interest to any other person, the purchaser being placed on an equality with the other stockholders.

Actual value
of stock de-
fined.

SEC. 8. By actual value of the stock is meant the amount paid in by each stockholder, together with his or her proportion of any profits, and deducting therefrom his or her proportion of any losses that may have occurred, and withholding his or her proportion of any investments about which the Board of Directors may be doubtful, until they are satisfied.

Dividends.

SEC. 9. As soon after the stock becomes of the value of one hundred dollars per share, and scrip is issued therefor, the Directors may make dividends at such times, and of so much of the profits of the bank, as shall appear to them advisable.

President and
Directors.

SEC. 10. There shall be elected, as soon after the ratification of this Act as the corporators and subscribers may deem advisable, and, annually thereafter, seven Directors from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting. The Board shall appoint (to hold at its pleasure) the subordinate officers and agents, prescribe their duties and compensation, and take from them such bonds, with security, as it may deem advisable.

Subordinate
officers.

Meetings.

SEC. 11. It shall be competent, at any general meeting of the stockholders, to change the time of holding the annual meetings; and extra meetings may be called at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders, each share shall entitle its holder to one vote, and a representation of a majority of the entire stock by the holders, in person, or by their proxies, shall be requisite to constitute a quorum.

Manner of
voting.

Special
powers.

SEC. 12. The said company is hereby declared to be capable in law of holding and exercising the office of executor, by appointment of any testator; the office of administrator of the testator, or intestate, by appointment of the Court of Probate; the office of guardian, or other trustee, of any estate, which may be held in trust,

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by appointment of any person or Court of competent authority to make such appointment; and the office of trustee under any mortgage; and in any such case the said company, or executor, administrator or trustee, shall be subject to the same measure of accountability, and to the same rules and regulations of law, which pertain to such trusts when held and exercised by natural persons, except that in lieu of any bond to be required of said company for the administration of any trust, the capital stock and other assets of the company shall stand pledged for the faithful discharge of any such trust.

SEC. 13. The said corporation shall have authority to establish branch offices at such points in this State as the Directors may elect: *Provided*, That the business transactions at such branch offices shall constitute a part of the general business of the bank, and shall be reported to the office in Columbia, at least once every month.

SEC. 14. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading; and the charter hereby granted shall be in force from its passage, and continue in force for a period of thirty years.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE GETHSEMANE BAPTIST CHURCH, No. 195. OF CHESTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. Barney Humphries, Willis Blackwell, Edward Allen, James Smith, James Williams, and their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Gethsemane Baptist Church, of Chester County; and may have a common seal, with power to alter the same at will.

SEC. 2. That said corporation shall have power to purchase and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to the laws of the land, as they may deem necessary and expedient.

SEC. 3. That this Act shall be deemed a public Act, and be and continue in force until repealed.

Approved March 13, 1872.

A. D. 1872.

No. 196.

AN ACT TO ESTABLISH THE CHARLESTON LAND AND JOINT STOCK COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles

Corporators. Simonds, Thomas Mathews, L. F. Campbell, Samuel Porcher, James Porcher, Z. Paton, W. Fields, J. Proctor, J. Simmons, S. Porcher, A. Campbell, G. Hines, and other persons who are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, by the name and style of the Charleston Land and

Corporate limits. Capital stock. Joint Stock Company, the capital stock of which shall consist of one thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures, for default in their payments, according to such regulations as may be prescribed by the constitution and by-laws of said corporation; and, moreover, the said shares shall be disposed of, at the death, resignation or removal from the State of any shareholder, in such manner as may be prescribed by the said constitution, rules and by-laws.

SEC. 2. That the said corporation shall have power and authority

General powers. to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such numbers and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made, or to be made, by them; shall sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

SEC. 3. That the funds of the said corporation may be invested

Investment of its funds. in such property, real or personal, and securities, public or private, loaned to shareholders and members, or other persons or corporations, on such securities, in such mode, on such terms, under such conditions, and subject to such regulations, as may be, from time to time, prescribed by the constitution, rules and by-laws of the said corporation; and that it shall and may be lawful for said corporation to take and hold such lands, tenements, hereditaments and personal property and such stocks and bonds, public or private, or choses in action, as shall be mortgaged, conveyed, assigned or pledged to it, by way of security upon its loans or ad-

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vances, or purchased at sales thereof; and to sell, alien, transfer or otherwise dispose of the same, as, from time to time, the said corporation may deem expedient: *Provided*, That the real estate held by said corporation shall not, at any time, exceed the value of two hundred thousand dollars. That the real and personal property of each stockholder and assigns shall be liable for the debts of said corporation in any amount not exceeding the par value of the stock held by him.

SEC. 4. That, semi-annually, on the first days of January and July, there shall be divided amongst the stockholders of the said corporation, the profits accruing from the investment. Division of profits.

SEC. 5. That this Act shall be taken and deemed a public Act, and that the same may be given in evidence without being specially pleaded.

Approved March 13, 1872.

AN ACT TO REPEAL THE CHARTER OF THE VILLAGE OF LAURENSVILLE. No. 197.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the village of Laurensville, and all Acts or parts of Acts pertaining thereto, be, and the same are hereby, repealed.

Approved March 13, 1872.

AN ACT TO AUTHORIZE AND EMPOWER W. C. GARITY, F. W. TOWLES AND D. H. TOWLES TO ESTABLISH A WHARF AT MARTIN'S POINT, WADMALAW ISLAND, SOUTH CAROLINA. No. 198.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. C. Garity, F. W. Towles and D. H. Towles be, and are hereby, authorized and Wharf at Martin's Point.

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empowered to erect and build a wharf, and collect the usual rate of wharfage on the same, at Martin's Point, Wadmalaw Island, South Carolina, and to extend the same as far toward the channel of the river as may be necessary for commercial purposes.

In whom
vested.

SEC. 2. That the franchise herein granted shall be vested in the said W. C. Garity, F. W. Towles and D. H. Towles, their heirs, executors, administrators and assigns, for the term of ninety-nine years.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 13, 1872.

No. 199.

AN ACT TO INCORPORATE THE TOWN OF TOWNVILLE, IN THE COUNTY OF ANDERSON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or who may hereafter become, inhabitants of the town of Townville, in the County of Anderson, shall be deemed, and are hereby declared, a body politic and corporate, and that said town shall be called and known by the name of Townville; and its limits shall be deemed and held to extend one-half mile in every direction from the Townville Baptist Church, in said town.

Corporate
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Wednesday in April next, on which day, as well as on the first Wednesday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the State of South Carolina, and shall have been resident in the said town for sixty days immediately preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice, in writing, being previously given. That H. R. Vandiver, B. F. Gantt, W. J. Harbin and J. W. Spearman be, and they are, appointed a Board of Managers, to hold the first election under this Act. That all male inhabitants of the said town, of the age of twenty-one years, who have resided therein sixty days previously to said election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine in the morning until three o'clock in the afternoon, when the polls shall be closed, and the Managers shall publicly count the

Managers.

Electors.

Election.

votes, and proclaim the election, and give notice thereof, in writing, to the persons elected; and that the Intendant and Wardens, for the time being, shall appoint the Managers to hold the ensuing election, at least twenty days prior to the day of election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to be administered to the officers first elected by some officer duly authorized to administer an oath, and by the outgoing Intendant to the Intendant and Wardens thereafter elected, to wit: "As Intendant (or Warden) of Townville, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

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Oath of office.

SEC. 3. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given. And in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancy.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be empowered to preserve the public peace, within the limits of said town; and the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Townville; and they and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and policemen as they shall deem necessary and proper, which officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable. And the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules, by-laws, respecting the streets, ways, public wells and springs, or fountains of water, markets and police of the said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed twenty dollars; all fines may be recovered by an action for debt before the proper tribunal.

Judicial powers.

Marshals.

Police regulations.

Fines.

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Nuisances.

SEC. 5. That the said Council shall have power to abate and remove nuisances within the limits of said town; and, also, to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as occasion may require; and to enforce the performance thereof by appropriate penalties: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with persons liable to perform such duties, upon such terms as they shall, by ordinance, establish.

Roads and streets.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways, which may be necessary for public use, within the limits of said town, open and in good repair; and, for that purpose, they are hereby invested with all the powers, rights and privileges granted, or that may hereafter be granted, by law, to the County Commissioners, within the limits of said town. And, for any neglect of duty, said Intendant and Wardens shall be liable to the pains and penalties imposed by law upon the County Commissioners for like neglect. And they are hereby, individually, exempt from the performance of road and police duty; and the inhabitants of said town are hereby excused from road and police duty without the limits of said corporation.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways; and to release such persons therefrom as may desire it, upon the payment of such sum of money as said Intendant and Wardens may deem a fair equivalent therefor, to be applied by them to the use of the said corporation.

May hold and dispose of property.

SEC. 8. That the said Town Council of Townville shall also be empowered to retain, possess and enjoy, for the use and benefit of said town, all such property as they may now be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them in their corporate capacity; and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall in no case exceed the sum of ten thousand dollars.

Annual taxation.

SEC. 9. That the said Town Council of Townville shall also have power to impose an annual tax on all real and personal property within the corporate limits of said town, except the property belonging to churches and schools: *Provided,* Said tax shall not exceed ten cents on the hundred dollars.

Sales at auction.

SEC. 10. That the Intendant and Wardens of the town of Townville shall have power to regulate sales at auction within the limits of said town, and to grant licenses therein to auctioneers: *Provided,* That nothing herein contained shall extend to sales by or for Sheriffs,

Coroners, Clerks of Courts and Judges of Probate, Executors and Administrators, Assignees, Referees and Constables, or by any other person, under the order of any Court.

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SEC. 11. That the Intendant and Wardens of the town of Townville shall have power and authority to require all persons owning a lot or lots therein to keep in repair the sidewalks adjacent to their lots, respectively; and, for default in this matter, shall have power and authority to impose a fine not to exceed ten dollars.

Sidewalks.

SEC. 12. That the power to refuse or grant licenses to keep a tavern, or to retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of Townville; and that they be, and are hereby, also invested with all necessary power, by ordinance or ordinances, to suppress or to regulate the sale of intoxicating drinks, to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, booths, stalls or outhouses of the said town, or within one half mile of the limits of the said town: *Provided*, That no rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. The said Town Council shall have power, under the hand and seal of the Intendant, to issue execution, directed to the Marshal of the said town, to collect all taxes and fines imposed by the said Council by virtue of authority in them vested by this Act, and the Marshal of said town is hereby invested with all the powers and authority conferred by law upon Constables, to enforce the satisfaction of such executions, in the same manner, and to the same extent.

Executions.

SEC. 14. That the said Town Council shall have power to appoint a Clerk and Treasurer, annually, and to define their duties and responsibilities.

Appointment of Clerk and Treasurer.

SEC. 15. That this Act shall be deemed and taken to be a public Act in all the Courts of Justice in this State, and shall continue of force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE CHARLESTON LOAN AND EXCHANGE COMPANY. No. 200.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

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 Corporators.
 Title.

persons and bodies corporate who shall become stockholders in the manner hereinafter described, and their successors, shall be a body politic and corporate, under the name, style and title of the Charleston Loan and Exchange Company.

SEC. 2. The capital stock of the said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: T. H. Williams, H. Bischoff, Wm. Gurney, J. A. Bowley, J. B. Dennis, C. J. Lamb, W. H. Gardner, Jr., S. A. Swails and J. H. Runkle. The said Commissioners, or a majority of them, shall open books, at such places in Charleston as they shall appoint, within sixty days from the passage of this Act, and receive subscriptions to the said stock: *Provided*, The said Commissioners shall have given at least three days' notice in two daily papers in the city of Charleston, of the time and place of receiving the subscriptions, and shall require a payment of twenty-five dollars on each share, to be made at the time of subscription therefor: *And provided further*, That the Board of Directors shall have power, in like manner, at such time as they shall see fit, to increase the said capital to the sum of five hundred thousand dollars.

Division of
 shares.

SEC. 3. That if, after sixty days from the time of opening the books for subscription, one-tenth of the capital stock be subscribed for, then the shares to that extent be divided *pro rata* among the stockholders, and the company empowered to commence business.

General
 powers.

SEC. 4. That the said company, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules and regulations as they shall, from time to time, establish, and, also, of taking, holding or disposing of, or investing the increase, profits or emoluments of their said capital stock; and shall have full power and authority to have and use a common seal, and the same to alter and renew at their pleasure; and, by the name and title aforesaid, shall be able and capable, at law and in equity, to sue and be sued, to plead and be impleaded, answer and be answered unto, in all manner of suits, pleas, demands and judicial proceedings whatever; and they are further empowered to appoint a President, Board of Directors, and such other officers as they may deem expedient, for the proper protection and transaction of their business.

SEC. 5. That the said company is hereby authorized and empow-

ered to make contracts, and to make loans of money, upon security of real estate, personal property and choses in action, to barter in all kinds of merchantable articles, to give and to hold in exchange, upon such rates of interest as may be agreed upon between the persons or parties borrowing, and exchange at a rate agreed upon by the Board of Directors.

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May make
contracts, &c.

SEC. 6. That the said company shall have right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey, in fee simple or otherwise, and that the sum of three hundred dollars be yearly returnable to the State, out of the net income derived by the company, and that this Act remain in force for the period of twenty years.

May hold
and dispose of
property.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE AMERICAN UNION LITERARY CLUB, OF GADSDEN, RICHLAND COUNTY, SOUTH CAROLINA. No. 201.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Esop Goodson, John T. Gilmore, Peter Shiver, Robert Campbell, James Scott, Jeff. Tucker, Ellison T. Weston, Harkles Scott, Moses Scott, Stepheney Scott, Alick Marshall, Kitt Mills, together with other persons who now are, or hereafter may be, associated with them, be, and they are hereby, declared a body corporate, under the name and style of the American Union Literary Club, of Gadsden, Richland County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporators.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

A. D. 1872.

AN ACT TO INCORPORATE THE SAVINGS BANK OF AIKEN.

No. 202.

Preamble.

Whereas there exists a class of persons who, from want of experience, are incapable of investing their small incomes and earnings, and as it is desirable to encourage economical and provident habits in all classes, and especially in the young, the laboring and the dependent; therefore,

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Ellery M. Brayton, Charles D. Hayne, Frank Arnim, Samuel A. Gilman, Henry Jones, R. B. Elliott, P. R. Rivers, John Williams, S. J. Lee, W. H. Jones, H. J. Maxwell, and their successors and associates, be, and they are hereby, constituted a body corporate and politic, to receive deposits of money at interest, to loan and invest the same, and to issue certificates of deposits, under the name of the Savings Bank of Aiken, and by this name are invested with the following powers, rights and privileges, and subjected to the following restrictions:

Corporate name.

Capital stock.

SEC. 2. That the capital shall be twenty thousand dollars, with the privilege of increasing it to any amount not exceeding two hundred thousand dollars. This capital shall be a fund pledged for the security of deposits.

Value of shares.

SEC. 3. Each share of stock shall be one hundred dollars, and the stockholders shall vote at all meetings in proportion to the number of their shares.

General powers.

SEC. 4. The stockholders shall have power to make rules, regulations and by-laws for the management and direction of its affairs, in accordance with the laws of this State, through their properly constituted officers; they shall have power and authority to do everything necessary and proper for the safe and successful management of the bank.

When may commence business.

SEC. 5. That this institution may go into operation as soon as fifteen thousand dollars of the capital stock shall be paid in, and not before.

Liability of stockholders.

SEC. 6. That the stockholders of the said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise; and, further, no Director or other officer of said corporation shall borrow any money from said corporation. And, if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

SEC. 7. That this Act shall be deemed a public Act, and shall continue in force for the term of twenty years.

A. D. 1872.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE WATEREE PRESBYTERIAN CHURCH, IN FAIRFIELD COUNTY. No. 203.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Waterree Presbyterian Church, of Fairfield County, is hereby incorporated, with all the rights and privileges awarded to religious denominations in this State.

Powers and privileges.

SEC. 2. That the said church may acquire property, real and personal, for religious and educational purposes, and may dispose of, regulate and govern the same, as they may deem proper, in accordance with their laws and discipline, such laws not being inconsistent with the laws of the State.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SALEM PRESBYTERIAN CHURCH, OF WADMALAW ISLAND, SOUTH CAROLINA. No. 204.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thos. Middleton, Rolling Mathas, Abram Deas, their associates and successors, are made a body corporate and politic, under the name and style of the Salem Presbyterian Church, of Wadmalaw Island, South Carolina, with all the powers now granted to or vested in such like corporations by law; to sue and be sued, plead and be impleaded; and to have a common seal, to alter at will; and make such rules and by-laws to govern the corporation aforesaid, not repugnant to the laws of this State.

Corporators.

Title.

Powers and privileges.

SEC. 2. This Act to be a public Act for the term of twenty-one years.

Approved March 13, 1872.

A. D. 1872. AN ACT TO RENEW THE CHARTER OF MARION LODGE, No. 2,
 No. 205. I. O. O. F., OF THE CITY OF CHARLESTON, S. C.

Charter re-
newed.

Validating
clause.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of Marion Lodge, No. 2, I. O. O. F., be, and the same is hereby, renewed, and shall continue in force until amended, altered or repealed; and that all acts done by the said Marion Lodge, No. 2, I. O. O. F., since the expiration of its charter, in conformity thereto, shall be, and the same are hereby declared to be, as good and valid, to all intents and purposes, as if the same had been done before the expiration of its charter.

Approved March 13, 1872.

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No. 206. AN ACT TO INCORPORATE THE GRAND DIVISION OF THE SONS OF TEMPERANCE, OF SOUTH CAROLINA.

Co porators.

Corporate
name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Oliver Hewitt, W. W. Pemberton, Thomas J. LaMotte, W. B. Timmons, W. T. D. Cousart, G. G. Patrick, E. E. Sell, B. D. Townsend, A. M. Kennedy, Rev. J. Claudius Miller, G. W. Turner, L. W. Kennedy, M. W. Felder, L. L. Rice, S. H. Tindal, and others who now are, or may hereafter become, officers and members of the Grand Division of the Sons of Temperance, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the "Grand Division of the Sons of Temperance, of the State of South Carolina;" and that the said corporation, by its corporate name, sue and be sued, plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements or real estate, of what kind and nature soever, and the same, or any part thereof, to sell, alien or convey, at their will and pleasure: *Provided*, That the property so held shall not exceed the annual value of fifty thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO DECLARE PUBLIC A CERTAIN ROAD IN THE
COUNTY OF ORANGEBURG.

A. D. 1872.

No. 207.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a certain road in the County of Orangeburg, leading in a north-easterly direction from the town of Branchville, to what is known as the Old Orangeburg Road, be, and the same is hereby, declared public.

Approved March 13, 1872.

AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE LAURENS AND ASHEVILLE RAILROAD. No. 208.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. R. Fowler, William Mills, Lanson Owens, Samuel Fleming, Wm. H. Langston, Y. J. P. Owens, J. Crews, W. E. Earle, Thomas M. Cox, Alexander Isaacs, Wilson Cook, Alex. McBee, H. P. Hammett, L. Williams, Hewlett Sullivan, James P. Moore, and their associates and successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Laurens and Asheville Railroad Company, for the purpose of constructing a railroad from the town of Laurens to the town of Greenville, and thence towards Asheville, N. C., by the most direct and possible route.

Corporators.

Corporate name.

SEC. 2. That, for the purpose of raising the capital stock of said company, it shall be lawful to open books, at the town of Laurens, under the direction of J. R. Fowler, William Mills, Lanson Owens, Samuel Fleming, Wm. H. Langston, Y. J. P. Owens and J. Crews; at the town of Greenville, under W. E. Earle, Thomas M. Cox, Alexander Isaacs, Wilson Cook, Alex. McBee, H. P. Hammett, L. Williams, Hewlett Sullivan and James P. Moore; and at such other places, in the Counties of Laurens and Greenville, and under the direction of such other persons, as the Commissioners in the respective Counties herein above named may designate, for the purpose of securing subscriptions to an amount not exceeding two million five hundred thousand dollars, in shares of one hundred dollars each, to constitute a joint capital stock, for the purpose of constructing and carrying into opera-

Commissioners to raise capital stock.

Joint capital stock.

A. D. 1872.

tion the said railroad; and, on each share of individual stock, the subscribers shall pay to the Commissioners, who shall be authorized to take the same, the sum of five dollars, lawful money of the United States.

When said company may meet and organize.

SEC. 3. That, when the sum of one hundred thousand dollars shall have been subscribed in the manner before specified, the subscribers shall be, and they are hereby, declared a body corporate, to be known by the name and style of the Laurens and Asheville Railroad Company, and may meet and organize said company, at such time and place as may be designated by the Commissioners for the town of Laurens hereinbefore named.

Powers and privileges conferred by charter on certain companies granted to this company.

SEC. 4. That, for the purpose of organizing said company, all such powers as are conferred by the charter of the Greenville and Columbia Railroad Company on the Commissioners at Greenville shall be, and are hereby, conferred on the Commissioners herein appointed, at the town of Laurens; and all the powers, rights and privileges granted by the said charter, and its amendments, to the Greenville and Columbia Railroad Company shall be, and they are hereby, granted to the Laurens and Asheville Railroad Company, and subject to like restrictions as are therein contained, except as to the capital stock, the sum necessary to authorize organization, and the amount of shares, except so far as may be necessary to conform to the special provisions of this Act: *Provided, however,* That nothing herein contained shall be so construed as to bind the State to subscribe stock in said company, or make any appropriation to enable the said company to build said road, or in any manner to loan the credit of the State thereto.

Subscription may be made by Counties, townships, towns or cities.

Manner of subscribing.

SEC. 5. That it shall be lawful for any County, township, town or city in this State, interested in the construction of the said railroad, to subscribe to the capital stock of said company such sum as the majority of the voters of such County, township, town or city may authorize their constituted authorities to subscribe; and the Chairman of the Board of County Commissioners of any County, or the Mayor or Intendant of any town or city in this State, when instructed by resolution of a convention of tax payers of such County, township, town or city—said convention to be called, after reasonable notice, by the Chairman of the Board of County Commissioners, or the Mayor or Intendant of the town or city, upon the application of not less than ten tax payers, in writing—is hereby required to submit the question of said subscription, and the amount to be subscribed to the said road, to a vote of the legal voters thereof, the said Mayor, Chairman or In-

tendant to designate the precincts for voting, and to appoint suitable Managers to conduct the same, and declare the result.

A. D. 1872.

SEC. 6. That if any County, township, town or city shall make a subscription to said road, as provided in the foregoing Section, said subscription shall be raised by taxation, in annual installments, of not less than ten nor more than twenty years, as the people may authorize in the vote aforesaid.

Subscription,
how to be
raised.

SEC. 7. That whenever any subscription shall be made by any County, township, town or city to said road as aforesaid, the County Auditor or other officer discharging the duties of County Auditor, shall assess, annually, upon the taxpayers of such County, township, town or city, such per centum as may be necessary to raise the annual installment required by said subscription, which shall be known and styled in the tax books as the said railroad tax, which shall be collected by the County Treasurer, under the same regulations as are provided by law for the collection of the State and County taxes, and which shall be paid over by said County Treasurer, as soon as collected, to the Treasurer of said railroad company.

Duties of
County Auditor
and Treasurer.

SEC. 8. That, upon the payment of said annual railroad tax by the tax payers, the County Treasurer, or other officer collecting said tax, shall give to each tax payer a certificate of the amount paid by him on said railroad tax, which certificate shall be convertible into stock in said railroad company, at par, in the hands of said taxpayer or the bearer thereof, when presented to the company for that purpose.

Each tax
payer to re-
ceive a certi-
ficate.

SEC. 9. That, in all conventions of the stockholders of said company, such County, township, town or city, as may subscribe to the capital stock thereof, may be represented by not less than three nor more than five delegates, who shall represent such portion of the subscription of the said County, township, town or city as may not have been converted into individual stock by the certificates of the tax payers aforesaid; and said delegates may be appointed in primary convention of the tax payers of such County, township, town or city, as the case may be, in such manner as the said convention may determine, and for this purpose the Chairman of the County Commissioners of any County, or the Mayor or Intendant of any town or city, in which subscriptions may be made, is hereby required to call a convention of such tax payers, at least ten days before the meeting of any convention of stockholders of said company to which the delegates are to be appointed.

Counties,
townships,
&c.—how rep-
resented.

SEC. 10. That said company is authorized to receive subscription to its capital stock in lands or labor, as may be agreed upon between said company and said subscribers, and may acquire, by grant, purchase, lease or otherwise, any estate, real or personal,

Subscriptions
may be made
in lands or
labor.

A. D. 1872.

whatsoever, and the same to hold, use, sell, convey and dispose of, as the interest of said company requires.

Issue
bonds.

SEC. 11. That the County Commissioners of the Counties of Laurens and Greenville, and the proper authorities of the towns and villages in those Counties subscribing to the capital stock of the said Laurens and Asheville Railroad, be empowered, as soon as the said company shall have complied with the terms of subscription of any of the above mentioned Counties, towns, cities or villages, and said subscriptions accepted by said company, then the said County Commissioners of such County, or the proper authority of such towns and villages, are authorized and required to issue bonds to the amount of said subscription, and to have levied and collected, par to par, on all taxable property in said County, town or villages, a sum of money sufficient to meet the interest accruing on such bonds as may be issued to meet such subscription to the capital stock of said Laurens and Asheville Railroad Company, and to provide further payment of such bonds as they may fall due.

First mort-
gage bonds.

SEC. 12. That the said Company be, and they are hereby, authorized to issue first mortgage bonds in an amount or amounts not exceeding twenty thousand dollars per mile, for each and every mile of the said road, as soon as each mile of the same shall be completed, and so on until the completion of the entire road.

Approved March 13, 1872.

No. 209. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RE-NEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," APPROVED MARCH 9, 1871.

Compensa-
tion of own-
ers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the proviso in Section ninety-seven (97) of the said Act be, and the same is hereby, amended so as to read as follows: "That the owners of lands, over which such street or streets may pass, shall be duly compensated by the said Town Council."

Appoint-
ment of Com-
missioners.

SEC. 2. That, in case the Council and land owners cannot agree upon the amount of such compensation, the same shall be ascertained by three Commissioners, to be appointed, one by the Town Council, one by the land owner, and the third by the Board of County Commissioners for Oragneburg County: *Provided*, That either party may appeal from such assessment to the Court of Com-

mon Pleas, who shall submit the issue of value to a jury : *And provided, further,* That the assessment agreed on, whether by the aforesaid Commissioners or by the jury, shall be recorded in the office of Register of Mesne Conveyance for the aforesaid County of Orangeburg.

A. D. 1872

Approved March 13, 1872.

AN ACT TO INCORPORATE THE PROSPECT BAPTIST CHURCH, OF No. 210.
LAURENS COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, from and immediately after the passage of this Act, all persons who now are, or who hereafter shall or may become, members of said society, shall be, and are hereby, incorporated, and are hereby declared to be a body corporate, by the name and style of the "Prospect Baptist Church," and by the said name shall have succession of officers and members, and have a common seal.

Corporator

Title.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of twenty-five thousand dollars, or to sell the same; and by its corporate name to sue and be sued in any Court of this State; and to make such rules and by-laws (not repugnant to law) as may be thought expedient.

Powers and
privileges.

SEC. 3. That this Act be deemed a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE MOUNT BETHEL CHURCH, OF No. 211.
LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mount Bethel Church, of Laurens County, is hereby incorporated with all the rights and privileges awarded to religious denominations in this State.

A. D. 1872.

Powers and
privileges.

SEC. 2. That the said Bethel Church shall have power to purchase, receive and hold any real and personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 13, 1872.

NO. 212. AN ACT TO INCORPORATE THE CHURCHES OF ANTIOCH, NEW HOPE, BETHEL GROVE AND NEW BETHANY, OF LAURENS COUNTY, SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the churches known by the names of Antioch, New Hope, Bethel Grove and New Bethany, of Laurens County, South Carolina, be, and the same are hereby, incorporated, and the corporators thereof are hereby vested with all the rights, privileges and immunities conferred on certain religious institutions by an Act ratified the 16th day of December, 1851.

Approved March 13, 1872.

NO. 213. AN ACT TO MAKE APPROPRIATION AND RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1871.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and they are hereby, appropriated for the payment of the various officers and expenses of the State Government, that is to say:

For Salaries.

A. D. 1872.

Salaries of
Executive
and Judicial
officers.

For the Governor, three thousand five hundred dollars; for the Lieutenant Governor, twenty-five hundred dollars; for the Secretary of State, three thousand dollars; for the Private Secretary of the Governor, two thousand dollars; for the Clerk to Secretary of State, one thousand dollars; for the Adjutant and Inspector General, twenty-five hundred dollars; for the Comptroller General, three thousand dollars; for the Clerk to the Comptroller General, eighteen hundred dollars; for extra clerical services in the office of the Comptroller General, one thousand dollars; for the State Treasurer, twenty-five hundred dollars; for the Chief Clerk to the State Treasurer, eighteen hundred dollars; for a Book-keeper for State Treasurer, eighteen hundred dollars; for Auditor of the State, twenty-five hundred dollars; for the State Auditor's Clerk, one thousand dollars; for the State Superintendent of Education, twenty-five hundred dollars; for the Clerk to the State Superintendent of Education, one thousand dollars; for the Health Officers, four thousand nine hundred dollars; for the Chief Justice of the Supreme Court, four thousand dollars; for the two Associate Justices, seven thousand dollars; for the eight Circuit Judges, twenty-eight thousand dollars; for the eight Circuit Solicitors, eight thousand dollars; for the Attorney General, three thousand dollars; for the Attorney General's Clerk, one thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for the Keeper of the State House and State Librarian, one thousand dollars; for the Superintendent of the South Carolina Penitentiary, two thousand dollars; for two Watchmen of the State House and Grounds, six hundred dollars each; for the County Auditors, thirty-one thousand five hundred dollars; for the Clerk to the Auditor of the County of Charleston, one thousand dollars; for clerical services in the office of Auditor of Charleston County, two thousand dollars; for the Governor's Messenger, three hundred dollars; for the County School Commissioners, thirty-one thousand two hundred dollars; for preservation of books and records in the office of Register of Mesne Conveyance in Charleston County, three thousand dollars.

Executive Department.

SEC. 2. For contingent fund of the Governor, fifteen thousand dollars; for the contingent fund of the Treasurer, one thousand dollars; for the contingent fund of the Comptroller General, one thousand dollars; for the contingent fund of the Attorney General,

Contingent
funds of Ex-
ecutive offi-
cers.

A. D. 1872.

one thousand dollars ; for the contingent fund of the State Auditor, fifteen hundred dollars ; for the contingent fund of the Adjutant and Inspector General, two thousand dollars ; for the contingent fund of the State Superintendent of Education, fifteen hundred dollars ; for the contingent fund of the Secretary of State, two thousand dollars ; for the contingent fund of the State Librarian, five hundred dollars. The above appropriations to be drawn by the heads each department, respectively.

Judiciary Department.

Expenses Ju-
diciary De-
partment.

SEC. 3. For the purchase of books for the Supreme Court Library, one thousand dollars, if so much be necessary, to be drawn on the order of the Chief Justice ; for the contingent expenses of the Supreme Court, under Section 7 of an Act ratified the 18th day of September, 1868, five hundred dollars ; for an attendant on the library and the rooms of the Supreme Court, eight hundred dollars, to be paid, quarterly, on the warrant of the Chief Justice on the Treasury—the said attendant to be appointed by, and be removable at, the pleasure of said Court ; for three Code Commissioners, for salary to May 1, 1872, five thousand two hundred and fifty dollars ; and no further amount shall be paid the Code Commissioners after this date ; and before which time the Code Commissioners shall make a complete index and reference, and correct all errors in side notes, &c.

Ordinary Civil Expenses.

Ordinary
civil expen-
ses.

SEC. 4. For the Civil Contingent Fund, thirty thousand dollars—fifteen thousand dollars thereof, if so much be necessary, shall be applied to the payment of claims now audited and on file, other than *nulla bona* claims ; for the support of the Lunatic Asylum, eighty thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents ; for the support of the State Orphan Asylum, fifteen thousand dollars, to be paid in accordance with the law establishing the same ; for re-organizing and perfecting the State Militia, fifteen thousand dollars : *Provided*, That three thousand five hundred dollars be used for the repair of the Armory at Columbia, to be drawn on the warrant of the Comptroller General, on application by the Adjutant and Inspector General ; for Quarantine expenses, three thousand dollars ; for Keeper of the Lazaretto, four hundred dollars ; for repairs and painting of the Lazaretto building, six hundred dollars, to be drawn on the warrant of the Comptroller General, on application by the Port Physician of Charleston ; for the Physician of Charleston Jail,

one thousand dollars; for transportation and clothing of discharged convicts, three hundred dollars; for the Catawba Indians, eight hundred dollars; for the payment of the Commissioners, Messengers and Managers of the General Election of 1872, twenty-five thousand dollars, to be paid on the warrant of the Comptroller General.

A. D. 1872.

Extraordinary Expenses.

SEC. 5. For past dues for construction and for continuing the construction of the South Carolina Penitentiary, eighty thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Superintendent.

Appropriation for construction of Penitentiary.

Educational Department.

SEC. 6. For the support and maintenance of Free Schools, three hundred thousand dollars, in addition to the capitation tax: *Provided*, That the sum of three hundred thousand dollars be apportioned among the several Counties of the State, in proportion to the number of children between the age of six and sixteen; further, that each County shall be entitled to the amount of the poll tax raised in said County; for the support of the University of South Carolina, twenty-seven thousand eight hundred and fifty dollars; for repairs to buildings of South Carolina University, ten thousand dollars, to be paid on the warrant of the Comptroller General, on application of the President of the University; for the support of the South Carolina Institution for the Education of the Deaf and Dumb and the Blind, ten thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Chairman and Secretary of the Board of Commissioners of the Deaf and Dumb and the Blind.

Appropriation for maintenance of free schools.

Support of South Carolina University

SEC. 7. That all taxes, assessed and payable under this Act, shall be paid in the following kinds of funds, viz: Bills Receivable of the State, United States currency, National Bank notes, Revenue Bond Scrip, gold or silver coin.

Approved March 13, 1872.

AN ACT RELATING TO THE FINANCIAL AGENT OF THE STATE OF SOUTH CAROLINA, IN THE CITY OF NEW YORK.

No. 214.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Finan-

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Adjustment
and settle-
ment of Fi-
nancial Agt's
claims.

Release and
discharge.

To render
statement to
Comptroller
General.

cial Board of this State is hereby authorized and required forthwith to adjust and settle the claims, demands and accounts, and all or any matters of difference relating to the Financial Agent of this State, in the city of New York, and to receive any balance which, on such adjustment, may be found to be owing to this State by the said Financial Agent, or for which said Financial Agent may be, or become, liable to this State; also, for all property or effects belonging to this State, now in, or which may hereafter come into, the possession of said Financial Agent, or any part or parts thereof; and upon the due payment and satisfaction, on the part of said Financial Agent, of any demand arising on such settlement or adjustment, to execute and deliver to him a full release and discharge for all liability to this State by reason of any matter or thing done in the course of such Financial Agency. That said Financial Board shall render a statement of the settlement with the Financial Agency to the Comptroller General of the State thirty days prior to the meeting of the next General Assembly.

SEC. 2. That this Act shall take effect immediately.

Approved March 13, 1872.

NO. 215. AN ACT RELATING TO THE BONDS OF THE STATE OF SOUTH CAROLINA.

Preamble.

Whereas, bonds or obligations of this State have been issued, from time to time, to a large amount, in accordance, as was supposed by the officers issuing the same, with the authority and provisions of certain Acts of the General Assembly, including "An Act to authorize a loan to redeem the obligations known as the Bills Receivable of the State of South Carolina," approved August 26, 1868; also, "An Act to authorize a State loan to pay interest on the public debt," approved August 26, 1868; also, "An Act to provide for the appointment of a Land Commissioner, and to define his powers and duties," approved March 27, 1869; also, "An Act to amend the last named Act, and for other purposes," approved March 1, 1870; also, "An Act to authorize a loan for the relief of the Treasury," approved February 17, 1869; also, "An Act to provide for the conversion of State securities," approved March 23, 1869; and "An Act to authorize the Financial Agent of the State of South Carolina, in the city of New York, to pledge State bonds as collateral

A. D. 1872.

security, and for other purposes," approved March 26, 1869; which said bonds are fully and particularly stated and set forth in a report made by the Treasurer of the State to the General Assembly, dated October 31, 1871; and whereas, doubts have arisen whether said issues were in strict conformity to the provisions of the said several Acts under which they were respectively issued; and whereas, it was the true intent and meaning of the several Acts above set forth that such issues of bonds or obligations should be made in the manner in which the same have been made, as aforesaid; and, whereas, also, doubts have been raised as to the validity of some of the bonds mentioned in the said annual report of the State Treasurer, for the fiscal year ending with October 31, 1871, although money has been borrowed by, or realized out of, said bonds on account of this State; and, whereas the credit of this State has been affected thereby:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said bonds and obligations, issued on behalf of this State, as mentioned and set forth in the report of the Treasurer of this State to the General Assembly, dated October 31st, 1871, were duly and lawfully issued in conformity with the true intent and meaning of the several Acts of the General Assembly hereinbefore set forth by their respective titles.

Bonds named
in Treasurer's
report is-
lawfully is-
sued.

SEC. 2. That the acts of the officers of this State, authorized under the provisions of the laws of this State, and of the several Acts hereinbefore referred to, to the extent of all issues of bonds or obligations enumerated and set forth in the said report of the Treasurer, be, and are hereby, in all things, ratified, confirmed and established.

Acts of State
officers rat-
ified and con-
firmed.

SEC. 3. That each and all of the bonds named in said annual report of the Treasurer of this State for the fiscal year ending with October 31st, 1871, be, and the same are hereby declared to be, legal and valid bonds of the State of South Carolina, for the payment of which the faith, credit and funds of the State have been, and are hereby, pledged: *Provided*, That no bonds be included which are not registered in the Treasury at the time of the passage of this Act, as provided for by Section 14 of Article IX of the Constitution, relating to finance and taxation.

Bonds named
in Treasur-
er's report le-
gal and valid.

Proviso.

SEC. 4. The Section of each of the Acts under which said bonds purport to be issued, which provides for an annual tax to pay the interest, is hereby declared to be a part of this Act; and an annual tax, in addition to all other taxes, shall be levied upon the property of the State, sufficient to pay the interest on the bonds named in or provided for, by this Act, until the principal of said bonds shall

Annual tax
to pay inter-
est.

A. D. 1872.

become due, such payment to be made in United States currency only.

Bonds to be of one description and style.

SEC. 5. Hereafter every bond converted or issued under or in pursuance of any of the laws of this State, shall be of the description and style of those heretofore issued under an Act entitled "An Act to provide for the conversion of State securities," approved March 23d, 1869, so that all of the bonds of this State shall be of one description and style, as soon as the exchange can be made: *Provided*, That all bonds of the State of South Carolina converted into stock of said State, and all stock of the State of South Carolina converted into conversion bonds of the State, as provided for in the Act hereinbefore mentioned, approved March 23, 1869, shall be cancelled immediately upon the conversion of the same, and retired from issue or hypothecation.

Bonds heretofore authorized, to be issued in conformity with this Act.

SEC. 6. All bonds heretofore authorized to be issued shall be issued in pursuance of, and in conformity with, the provisions of this Act, and shall be converted into bonds, of the style and description named in the next preceding Section, as speedily as the same can be done.

Manner of sale not to impair their validity.

SEC. 7. That neither the sum or sums realized from any sale or sales of any of the bonds of this State, nor the manner of sale of any of the bonds of this State, shall in any manner affect or impair the validity and obligation thereof.

Duty of Governor, Treasurer and Secretary of State.

SEC. 8. The Governor is hereby authorized and required to sign all of the bonds named in this Act. The State Treasurer is authorized and required to countersign the same. And the Secretary of State is authorized and required to affix the seal of the State to the same without delay: *Provided*, That no bonds shall be signed by the Governor, or countersigned by the State Treasurer, except for the conversion of bonds or stocks already issued pursuant to law.

Proviso.

SEC. 9. Nothing contained in this Act shall authorize the issue or conversion of any bonds of this State other than those named in the report made by the State Treasurer, as specified in the 3d Section of this Act, and such as have been authorized under previous laws of this State.

Places of registry.

SEC. 10. The Commercial Warehouse Company, in the city of New York, and the Carolina National Bank, in the city of Columbia, South Carolina, are hereby declared to be authorized places for the registering of the bonds, coupons or stocks of the State of South Carolina, and they are authorized, on the passage of this Act, to immediately advertise, in one or two of the principal papers in each of the cities of New York, Columbia and Charleston, to the holders of all the bonds, coupons or stock of the State of South

Carolina, the necessity of registering their bonds, coupons or stocks at one of the above authorized places of registry. In the registration of said bonds, coupons or stocks, the number and denomination of each bond, coupon, or certificate of stock, the Act under which it was issued, and the name of the person, association, corporation or firm presenting the same, shall be recorded, and the time and place of registration shall be endorsed upon said bonds, coupons or stocks, so that the same bonds, coupons or stocks may not be presented at more than one place of registration. It shall be the duty of the said Commercial Warehouse Company, in the city of New York, and the Carolina National Bank, in the city of Columbia, South Carolina, to publish, in the cities of New York, Charleston and Columbia, quarterly statements of the whole amount of bonds, coupons or stocks registered by them, the number, denomination, and the Act under which they have been issued. The State Treasurer and the Financial Agent of the State, in the city of New York, shall not pay interest on said bonds or stocks until they have been registered according to the requirements of this Act.

A. D. 1872.

Publication
of quarterly
statements of
bonds regis-
tered.

SEC. 11. All Acts or parts of Acts contrary to, or inconsistent with, this Act are, for the purposes of this Act, but for no other purpose, hereby repealed.

SEC. 12. This Act shall take effect immediately.

Approved March 13, 1872.

AN ACT TO INCORPORATE THE SOUTH CAROLINA REAL ESTATE, No. 216.
PLANTING AND MINING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. F. Graham, Edward Reid, George Kline, H. E. Hayne, B. F. Briggs, S. A. Swails, W. A. Grant, W. B. Nash, Edward Mickey, O. R. Levy, Wm. Elliott, J. A. Bowley, Barney Humphreys, Jordan Lang, C. C. Bowen, Timothy Hurley, T. A. Davis, N. B. Myers, J. B. Bascomb, S. Greene, J. S. Mobley, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "South Carolina Real Estate, Planting and Mining Company," for the purpose of securing foreign and domestic capital in the purchase and improvement of lands and other property, and for the working of the same, and for

Corporators.

Corporate
name.

Objects of
corporation.

A. D. 1872.

selling and settling the same: *Provided, however,* That the said corporation shall be organized and go into operation within two years from the passage of this Act.

Capital stock.

SEC. 2. *And be it further provided,* That the capital stock of said corporation shall be one million of dollars, (\$1,000,000,) in shares of one hundred dollars, (\$100,) each, with the privilege of increasing the same, from time to time, to the extent necessary for which said company is formed, said increase not to exceed the sum of five millions of dollars, (\$5,000,000,) and said increase to be made only at a regular meeting of the said company, upon a vote of two-thirds in amount of the stock for the time being in favor of such increase.

Shares transferable.

SEC. 3. That the said shares shall be deemed personal property, and shall be transferable only on the books of the company.

May hold and dispose of property.

SEC. 4. That the said corporation shall have power to purchase, acquire, hold, use, work and dispose of real estate in any of the Counties of this State, to work and operate mines, to work and operate farms and plantations within the State, and to dispose, generally, of the products of the same.

By-laws, &c.

SEC. 5. That the said corporation shall also have power to make all by-laws necessary for the disposition of its property, and for the management of its affairs, for the regulation of the term of office of its officers, and prescribing their duties, and to carry out the general objects of the corporation, and the same at pleasure to annul and repeal: *Provided,* That such by-laws, rules and regulations shall not conflict with any laws of the United States or of the State of South Carolina.

Issue of bonds.

SEC. 6. That said corporation shall have power to borrow money by issuing interest bearing bonds, secured by mortgage of its property and franchises, or of any portion of the same; and, for this purpose, may issue bonds for sterling, gold coin or currency, payable in London, New York or Charleston, secured by mortgage to trustees for the payment of the said bonds; and, also, may purchase land, for cash or for bond, secured by mortgage, or partly for cash, and partly for bonds and mortgages: *Pro-*

Liability of stockholders.

vided, That the stockholders of the said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

Agencies.

SEC. 7. That said corporation shall have the power to establish agencies at such place in Europe and America as it may deem desirable for the carrying out of its objects; and may, also, hold

and purchase the stocks or bonds of any joint stock or incorporated companies, and the bonds of private individuals.

A. D. 1872.

SEC. 8. That, within the time prescribed for the going into operation of this Act, a meeting of the said company shall be held, at which meeting fifteen Directors shall be elected by the said corporation, which said Directors shall elect from their own number a President and Treasurer; and they shall also elect such other officers and agents as they may deem necessary for effecting the object of the said corporation; and, annually after the said meeting, the said stockholders shall elect twelve Directors.

Election of officers.

SEC. 9. The said corporation shall have succession of officers, power to adopt and use a corporate seal, to sue and be sued, to plead and be impleaded, to defend and be defended, in any Court of law or of equity.

General powers.

SEC. 10. This corporation shall have the right to establish wagon roads to and upon its property, with the privilege of connecting the same with any roads in the State, and shall enjoy all the privileges that are awarded, under the general laws of the State, to any corporation, together with the special privileges awarded by this charter.

Wagon roads.

Approved March 13, 1872.

JOINT RESOLUTIONS.

JOINT RESOLUTION TO PROVIDE FOR THE RE-PUBLICATION OF CERTAIN STATUTES OF THIS STATE, AND JOURNALS OF THE GENERAL ASSEMBLY THEREOF.

No. 1.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Republican Printing Company be, and they are hereby, authorized to have printed one thousand copies each of Volumes X, XI, XII, XIII and XIV, of the Statutes of this State, said copies to be deposited in the State Library, subject to proper distribution as public necessities or the convenience of State and County officials may dictate. The Clerk of the Senate and the Clerk of the House of Representatives shall have supervision of said printing.

Republi-
cation of Vol.
X, XI, XII,
XIII, XIV, of
the Statutes.

Place of de-
posit.

To whose
orders sub-
ject.

SEC. 2. The cost of the printing herein provided for shall be paid

Cost — how
provided for.

A. D. 1872.

upon the certificate of the said Clerks of the Senate and of the House of Representatives, out of any moneys in the Treasury not otherwise appropriated.

Returned to the Senate with objections of His Excellency the Governor, November 29, 1871.

IN THE SENATE, COLUMBIA, S. C., December 9, 1871.

On the question, "Shall this Joint Resolution become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, the Joint Resolution passed by a *viva voce* vote of yeas, 15; nays, 5; and ordered to be sent to the House of Representatives.

By order:

J. WOODRUFF,
Clerk of Senate.

IN THE HOUSE OF REPRESENTATIVES, December 11, 1871.

On the question, "Shall this Joint Resolution become a law, the objections of His Excellency the Governor to the contrary notwithstanding?" the yeas and nays were ordered, and the Joint Resolution passed by a *viva voce* vote of yeas, 63; nays, 29; and become a law, in accordance with Section 22, Article III, of the Constitution, and ordered to be returned to the Senate.

By order:

A. O. JONES,
Clerk of the House of Representatives.

No. 2. JOINT RESOLUTION TO REQUIRE THE GOVERNOR TO COMMUNICATE WITH THE PROPER AUTHORITIES OF THE STATE OF GEORGIA, WITH A VIEW TO A RE-ADJUSTMENT OF THE BOUNDARY LINE BETWEEN THE STATES OF GEORGIA AND SOUTH CAROLINA, AND AUTHORIZING THE APPOINTMENT OF THREE COMMISSIONERS.

Whereas the acton had by the Commissioners of the conference

between the States of South Carolina and Georgia, on the 24th day of April, A. D. 1787, in the town of Beaufort, in the State of South Carolina, is, for many reasons, unsatisfactory, prominent among which may be mentioned the ambiguity of the first Article, the manifest error in third Article, to wit, "the State of South Carolina shall not hereafter claim any lands to the eastward, southward, south-westward or west of the boundary above established;" and whereas the citizens of South Carolina have no rights of fishing in the Savannah River, or using or drawing off the waters of said river for the purposes of navigation or manufacturing; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor of this State be, and he is hereby, required to communicate with the proper authorities of the State of Georgia, with a view to a re-adjustment of the boundary line between the States of Georgia and South Carolina; and that, whenever the Governor of the State of Georgia shall have indicated to him its willingness for a re-adjustment, that he be, and is hereby, further authorized and required to appoint three Commissioners, on the part of the State, to effect said re-adjustment; and said Commissioners shall be paid the same per diem and mileage as members of the General Assembly; and the Treasurer of the State is hereby authorized to pay the same out of any funds in the Treasury not otherwise appropriated.

SEC. 2. That the said Commissioners shall have power to arrange and finally determine the line between said States; and their action in the matter shall be binding upon the State of South Carolina.

Approved January 8, 1872.

A. D. 1872.

Action of the conference between South Carolina and Georgia unsatisfactory.

Ambiguity of first, and error in third Article.

Rights of fishing in waters of Savannah River denied.

Governor to communicate with authorities of Georgia.

To appoint three Commissioners for said purpose.

Payment provided for.

Action of Commissioners binding on State of South Carolina.

JOINT RESOLUTION AUTHORIZING J. A. MAYES, EXECUTOR OF THE ESTATE OF JAMES MCBRIDE, DECEASED, TO SELL CERTAIN LANDS, AND APPLY THE PROCEEDS THEREOF TO THE EDUCATION OF THE MINOR HEIRS.

No. 3.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. A. Mayes,

A. D. 1 72.

executor of the estate of J. McBride, deceased, be, and is hereby, authorized and empowered to sell, at private or public sale, as he may deem best, certain timber lands, belonging to said estate, and to make and give deeds of conveyance for the same.

J. A. Mayes
authorized to
sell certain
lands and
give deeds
for same.

SEC. 2. That the money or moneys accruing from the sale of said lands shall be used for the support and education of the minor children of the said James McBride, or so much thereof as may be necessary, and if there be any amount remaining unexpended when such children shall have attained their majority, the same shall be disposed of according to law, or the will of the said James McBride, as the case may be.

Disposition
of moneys
arising from
such sale.

Unexpended
balance—how
to be disposed
of.

Fund to be
deposited
with Probate
Judge.

SEC. 3. That the said J. A. Mayes shall deposit with the Judge of the Probate Court a bond sufficient to cover the amount of said sale, before the money accruing therefrom shall be turned over to him, for the faithful disbursement of the same according to the provisions of this resolution.

Approved January 31, 1872.

No. 4. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO
RE-ISSUE CERTIFICATE OF STATE STOCK TO R. S. PORCHER.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to R. S. Porcher, or his assignee, agent or attorney, certificate of State Stock No. 186, for fifty (50) dollars, issued under Act ratified September 21, A. D. 1866, and supplemental Act, ratified December 21, A. D. 1866, in lieu of the original, which has been lost or mislaid: *Provided*, That he gives a bond of indemnity to the State for double the value of the certificate issued.

Certificate
re-issued to
R. S. Porcher.

Approved January 31, 1872.

JOINT RESOLUTION TO CHANGE THE NAME OF SAMUEL DOGEN, COLUMBUS DOGEN AND SIMON DOGEN, TO SAMUEL FARROW, COLUMBUS FARROW AND SIMON FARROW.

A. D. 1872.

No. 5.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Samuel Dogen, of Newberry County, and Columbus Dogen and Simon Dogen, of Union County, be changed to Samuel Farrow, Columbus Farrow and Simon Farrow, and that hereafter the said Samuel Dogen, Columbus Dogen and Simon Dogen shall be known and called Samuel Farrow, Columbus Farrow and Simon Farrow.

Approved February 15, 1872.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PURCHASE A SET OF FIRE AND BURGLAR-PROOF DOORS FOR THE VAULT IN HIS OFFICE.

No. 6.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to purchase a set of fire and burglar-proof doors for the vault in his office, at a cost not to exceed fifteen hundred dollars, and to be paid for out of any moneys in the Treasury not otherwise appropriated.

Fire and
burglar-proof
doors for
Treasurer's
office.

Approved February 27, 1872.

JOINT RESOLUTION TO RELIEVE THE LATE COUNTY TREASURER OF YORK COUNTY, E. M. ROSE, AND HIS BONDSMEN.

No. 7.

Be it resolved by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That Edward M. Rose, late County Treasurer of York County, and his bondsmen, Wm. E. Rose, James Windsor and J. L. Watson, be relieved from all responsibility as Treasurer and bondsmen in York County until date, in consequence of a raid made on that office and officer by the Ku Klux Klan, on the 26th day of February, 1871.

Bond-men
relieved.

Approved March 4, 1872.

A. D. 1872.

No. 8.

JOINT RESOLUTION TO RELIEVE R. VAMPILL, TREASURER
OF MARION COUNTY, OF UNCOLLECTED TAXES FOR THE YEAR
1868.

Whereas the books and papers of the Treasurer, R. Vampill, of Marion County, were destroyed by fire on the 28th day of February, 1870, at the town of Marion; and whereas he has no record left of the parties delinquent; therefore,

R. Vampill
released from
collection of
certain taxes.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. Vampill, County Treasurer of Marion, be, and is hereby, relieved from responsibility for the uncollected taxes of 1868, in Marion County, amounting to \$5,664.66, on account of the State, and \$3,215.02, on account of the County. The Auditor of State and Treasurer of the State and the County Commissioners of Marion are hereby authorized and directed to give him full acquittance and release therefor.

Approved March 4, 1872.

No. 9. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER
TO PAY THE SALARY OF THE LATE JUDGE PLATT TO HIS
WIDOW.

Treasurer to
pay Judge
Platt's salary
to Mrs. C.
Platt.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to pay to Mrs. Cornelia Platt, widow of the late Zephaniah Platt, Judge of the Second Circuit of this State, the amount of salary, as Circuit Judge, which would have accrued to the Judge of the said Circuit, from April 24, 1871, the date of the decease of Judge Platt, to September 9, 1871, the date of the qualification of his successor in office.

Approved March 9, 1872.

No. 10. JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF THE STATE OF SOUTH CAROLINA.

Preamble.

Whereas, the Constitution of South Carolina, in Article II, Sec-

A. D. 1872.

tion 11, requires a general election to be held on the third Wednesday in October, in every second year after eighteen hundred and seventy; and, whereas, once in every four years an election is required for Presidential Electors, which takes place the first Tuesday after the first Monday in November; and, whereas, the people of this State are, by these two elections following so closely upon each other, great'y annoyed and inconvenienced, and the industrial interests of the State as greatly disturbed and imperilled; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State be submitted to the qualified electors of the State, at the next general election; and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election, and before another, ratify the same amendment, by yeas and nays, it shall be part of the Constitution, to wit: Strike out all of that portion of Section 11, of Article II, following the words "eighteen hundred and seventy," occurring in the fourth and fifth lines, and insert the following: "And forever thereafter, on the first Tuesday following the first Monday in November, in every second year, in such manner and at such places as the Legislature may provide."

Amendment
to be submit-
ted to quali-
fied voters

Time of hold-
ing general
elections.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon, "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot, with the following words written or printed thereon, "Constitutional Amendment—No."

Manner of
voting for
amendment.

Approved March 9, 1872.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX.

No. 11.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, in addition to the tax heretofore authorized to be levied, the County Commissioners of Williamsburg County are hereby authorized to levy, and cause to be collected, a special tax of 2 mills on a dollar, the same to be used

Three mills
tax for re-
building jail.

A. D. 1872. exclusively for the purpose of rebuilding the jail in the said County.

Approved March 9, 1872.

No. 12. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PAY TO THE WIDOW OF SOMERFIELD MONTGOMERY TWO HUNDRED AND FIFTY DOLLARS.

Whereas Somerfield Montgomery, late Auditor of Newberry County, died during the last quarter of the fiscal year, and, the salary of such Auditor being unpaid, therefore,

Treasurer to pay S. Montgomery's salary to his widow.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to pay to the widow of Somerfield Montgomery the salary of such Auditor for the last quarter of the fiscal year, amounting to two hundred and fifty dollars; and that her receipt shall be full and sufficient voucher for the payment of said sum.

Approved March 9, 1872.

No. 13. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTIFICATES ISSUED BY THE GENERAL ASSEMBLY.

Treasurer to pay all certificates of members and attachées of the General Assembly.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to pay the certificates of the members and subordinates of the General Assembly, issued by the Clerks of both Houses, and bearing the signatures of the President of the Senate and Speaker of the House of Representatives, in United States currency, gold or silver coin only. And he is hereby authorized to borrow, on the faith and credit of the State, a sufficient amount to cancel the said certificates.

Approved March 12, 1872.

JOINT RESOLUTION TO AUTHORIZE THE PAYMENT OF COMMISSIONERS AND MANAGERS OF ELECTIONS AT SPECIAL ELECTIONS DURING THE YEAR EIGHTEEN HUNDRED AND SEVENTY-ONE.

A. D. 1872.

No. 14.

Payment of
accounts of
Commission-
ers and Mana-
gers of Elec-
tions.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Auditor is hereby authorized and required to audit the accounts of the Commissioners and Managers of Elections at special elections held during the year eighteen hundred and seventy-one, in any of the Counties of this State, and thereupon the State Treasurer is hereby authorized and required to pay the same out of any unexpended balance of the appropriation made by Section 4 of the Act of March 7, 1871, entitled "An Act to make appropriation and raise supplies for the fiscal year commencing November 1, 1870," "for deficiency for payment of Commissioners and Managers of Elections, ten thousand dollars."

Approved March 12, 1872.

JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER GENERAL TO DRAW WARRANT, IN FAVOR OF C. WERNER, ON THE STATE TREASURER, WHEN CERTAIN REQUIREMENTS ARE FULFILLED.

No. 15.

Preamble.

Whereas a Joint Resolution was passed in 1856, appropriating five thousand dollars towards purchasing the cast iron Palmetto Tree for a monument to the dead of the Palmetto Regiment; and, whereas, on the 20th of December, 1858, another appropriation of one thousand dollars more, as additional compensation, was passed; and, whereas, Mr. C. Werner was only paid four thousand dollars:

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That the Comptroller General be authorized, and is hereby directed, to draw his warrant on the State Treasurer, to the amount of two thousand dollars, in favor of C. Werner: *Provided*, Mr. Werner makes alterations on the panels, as directed by the Commissioner of the State House, as reported by the Committee on the State House, on the 20th of December, 1858. The State Treasurer is hereby authorized and directed to

Treasurer to
pay C Werner
\$2,000, on cer-
tain condi-
tions.

A. D. 1872. exclusively for the purpose of rebuilding the jail in the said County.

Approved March 9, 1872.

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Whereas Somerfield Montgomery, late Auditor of Newberry County, died during the last quarter of the fiscal year, and, the salary of such Auditor being unpaid, therefore,

Treasurer to pay S. Montgomery's salary to his widow.

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Approved March 9, 1872.

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Treasurer to pay all certificates of members and attachés of the General Assembly.

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Approved March 12, 1872.

JOINT RESOLUTION TO AUTHORIZE THE PAYMENT OF COMMISSIONERS AND MANAGERS OF ELECTIONS AT SPECIAL ELECTIONS DURING THE YEAR EIGHTEEN HUNDRED AND SEVENTY-ONE.

A. D. 1872.

No. 14.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Auditor is hereby authorized and required to audit the accounts of the Commissioners and Managers of Elections at special elections held during the year eighteen hundred and seventy-one, in any of the Counties of this State, and thereupon the State Treasurer is hereby authorized and required to pay the same out of any unexpended balance of the appropriation made by Section 4 of the Act of March 7, 1871, entitled "An Act to make appropriation and raise supplies for the fiscal year commencing November 1, 1870," "for deficiency for payment of Commissioners and Managers of Elections, ten thousand dollars."

Payment of
accounts of
Commission-
ers and Man-
agers of Elec-
tions.

Approved March 12, 1872.

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No. 15.

Whereas a Joint Resolution was passed in 1856, appropriating five thousand dollars towards purchasing the cast iron Palmetto Tree for a monument to the dead of the Palmetto Regiment; and, whereas, on the 20th of December, 1858, another appropriation of one thousand dollars more, as additional compensation, was passed; and, whereas, Mr. C. Werner was only paid four thousand dollars:

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That the Comptroller General be authorized, and is hereby directed, to draw his warrant on the State Treasurer, to the amount of two thousand dollars, in favor of C. Werner: *Provided*, Mr. Werner makes alterations on the panels, as directed by the Commissioner of the State House, as reported by the Committee on the State House, on the 20th of December, 1858. The State Treasurer is hereby authorized and directed to

Treasurer to
pay C. Werner
\$2,000, on cer-
tain condi-
tions.

A. D. 1872.

pay upon the order of the said Comptroller General, out of any moneys in the Treasury not otherwise appropriated.

Approved March 12, 1872.

No. 16. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO PAY TO L. S. LANGLEY, LATE SCHOOL COMMISSIONER OF BEAUFORT COUNTY, THE SUM OF ONE HUNDRED AND THIRTY-TWO DOLLARS, (\$132.)

Treasurer to
pay L.S. Lang-
ley \$132.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay to L. S. Langley, late School Commissioner of Beaufort County, the sum of (\$132) one hundred and thirty-two dollars, the same being the amount he advanced on text books, for the use of Free Common Schools in the County aforesaid, out of any funds not otherwise appropriated.

Approved March 13, 1872.

No. 17. JOINT RESOLUTION TO GRANT A SECTION OF LAND, IN LANCASTER COUNTY, TO THE WIDOW AND MINOR CHILDREN OF ISAAC COWLES.

Preamble.

Whereas Isaac Cowles, a citizen of the County of Lancaster, and State of South Carolina, did enter upon a section of sixty acres of the land of the State, purchased by the Land Commission, and did proceed to acquire a title to the same, by actual settlement and cultivation, and on the terms provided by law; and whereas the said Isaac Cowles was taken from his house, on or about the 25th day of April, 1871, by a band of disguised and armed men, and, while in the peace of the State, was, by them, brutally murdered because of his political opinions, and because he had dared to exercise his civil rights as a loyal citizen of the United States; and whereas the said murder was in pursuance of a system of organized violence, designed to suppress free speech and a free ballot among loyal citizens of the State; and whereas the said Isaac Cowles left a widow and

three minor children, now living and destitute, on said land, and have no means to make payment for the same; therefore,

A. D. 1872.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Secretary of State be, and he is hereby, directed to issue a title to the widow and minor children of Isaac Cowles for the section of State land in the County of Lancaster, located and settled upon by the said Isaac Cowles.

Secretary of State to issue title.

Approved March 13, 1872.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO LEVY AND COLLECT AN ADDITIONAL TAX OF TWO MILLS UPON THE DOLLAR.

No. 18.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Abbeville County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of the said County; said tax to be devoted exclusively to the rebuilding of the Court House lately destroyed by fire.

Special tax of two mills to rebuild Court House.

Approved March 13, 1872.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE STATE AUDITOR AND COUNTY COMMISSIONERS TO LEVY CERTAIN TAXES.

No. 19.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Auditor be, and he is hereby, authorized and directed to levy, and cause to be collected, a tax of six (6) mills on a dollar of all taxable property in the State, to meet appropriations for the fiscal year commencing November 1st, 1871; that the State Auditor is hereby authorized

Six mills tax.

A. D. 1872.
 Two mills
 tax.

and required to levy, in addition to the general State levy, a tax of two mills on all the taxable property in the State, for the support of public schools, which shall be collected at the same time the general State levy is collected, and paid into the Treasury of the State. The same shall be the State School Fund, and shall be kept by the State Treasurer separate and apart from all other funds in his possession, and shall, under no circumstances, be used for other than school purposes. And the County Commissioners of each of the Counties are hereby authorized to levy and cause to be collected, a tax not exceeding three mills on a dollar of all taxable property in their respective Counties, except the County of Fairfield, in which the County Commissioners shall not levy a tax of more than one and one-half ($1\frac{1}{2}$) mills for the fiscal year commencing November 1st, 1871.

Approved March 13, 1872.

No. 20. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO M. E. CARRERE, M. D., AND W. M. WILSON, EXECUTORS OF SAMUEL WILSON, DECEASED, CERTAIN CERTIFICATES OF STATE STOCK.

Preamble. Whereas it appears by the books of the State Treasurer that there has been duly issued certain certificates of State stock, to the amount of three thousand five hundred and sixty-six dollars and sixty-seven cents. (\$3,566.67,) to Samuel Wilson, deceased; and whereas said certificates coming into the hands of said M. E. Carrere, M. D., and W. M. Wilson, as executors as aforesaid of Samuel Wilson, were lost or destroyed at the burning of Columbia, in February, 1865; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to said M. E. Carrere, M. D., and W. M. Wilson, executors as aforesaid of Samuel Wilson, deceased, certificates of stock, of the same amount, payable at the same time, and bearing the same rate of interest as those lost or destroyed; that the said M. E. Carrere, M. D., and W. M. Wilson, executors as aforesaid of Samuel Wilson, deceased, be, and they are hereby, required to deposit with the State Treasurer a bond legally executed

Re-issue of
 stock to M. E.
 Carrere and
 W. M. Wilson.

Parties
 e bond.

in the penal sum of seven thousand one hundred and thirty-three dollars and thirty-four cents, (\$7,133.34,) to indemnify the State against loss.

A. D. 1872.

Approved March 13, 1872.

JOINT RESOLUTION AUTHORIZING THE COUNTY SCHOOL No. 21.
COMMISSIONER OF UNION COUNTY, S. C., TO APPROVE CERTAIN CLAIMS OF TEACHERS.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County School Commissioner of Union County, S. C., be, and the same is hereby, authorized to approve for payment, out of the school fund of said County, the claims of teachers of Union County, for services rendered between the first of January, 1871, and the time when he was appointed to fill the vacancy in said office: *Provided*, That, in his judgment, said claims are just, true and correct, and actually due.

School Commissioner to pay certain claims.

Approved March 13, 1872.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA. No. 22.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, (two-thirds of both Houses concurring,) That the following Article be submitted to the qualified electors of the State, at the next general election for Representatives, as an amendment to the Constitution of the State, which, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General shall, after such an election, and before another, ratify the same, shall become part of the Constitution, namely :

Proposing amendment to Constitution.

ARTICLE XVI.

To the end that the public debt of South Carolina may not here-

A. D. 1872.

No debt to be created except by two-thirds vote of the people.

after be increased without the due consideration and free consent of the people of the State, the General Assembly is hereby forbidden to create any further debt or obligation, either by the loan of the credit of the State, by guaranty, endorsement or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guaranty, endorsement or loan of its credit, to the people of this State, at a general State election; and, unless two-thirds of the qualified voters of this State, voting on the question, shall be in favor of a further debt, guaranty, endorsement or loan of its credit, none such shall be created or made.

Manner of voting for the amendment.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon: "Constitutional Amendment, Article XVI—Yes." Those opposed to the amendment shall cast a ballot, with the following words written or printed thereon: "Constitutional Amendment, Article XVI—No."

Approved March 13, 1872.

ACTS OF THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

*Passed at the Regular Session, which was begun and held at the
City of Columbia, on the Fourth Tuesday in November,
A. D. 1872, and was adjourned without day on the
26th day of February, A. D. 1873.*

FRANKLIN J. MOSES, Jr., Governor. R. HOWELL GLEAVES,
President of the Senate. SAMUEL J. LEE, Speaker of the House
of Representatives.

*AN ACT TO INCORPORATE THE CHARLESTON WATER COMPANY,
IN THE CITY AND COUNTY OF CHARLESTON, S. C.

A. D. 1872.

No. 217.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Daniel Tyler, Daniel M. Porter, Charles H. Simonton, Edwin Parson, C. W. Montgomery, Alva Gage, William F. Pierce, Timothy Hurley, Thomas Sands, T. D. McDowell, John Douglass, J. B. Dennis, W. M. Thomas, W. J. McDowell, J. S. Mobley, S. Green, B. F. Briggs, J. B. Bascomb, A. O. Jones, W. J. Etter, J. Woodruff, E. Nehemias, their associates and successors, shall be, and they are hereby, incorporated and declared a body politic and corporate; shall have power to make, use, have and keep a common seal, and the same to alter at will; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members, conformably to such by-laws, and to sue and be sued, plead and be impleaded, in any court of law or equity in this State, and to have, use and enjoy all other rights, and be subject to all other liabilities which are incident to other bodies corporate.

Corporators.

General powers.

SEC. 2. The said company shall have full power and authority to take, hold and convey water from any point, from any river, creek,

* This Act was passed at the session of 1871-2, but was not delivered by the Governor to the Secretary of State in time for publication with the Acts of that session.

A. D. 1872.

Power to convey water into and through Charleston.

May build dam, &c.

May dig and open streets, lanes, &c., under certain conditions.

May erect buildings.

Capital stock.

May take and hold private rights of way, &c.

In case of disagreement Commissioners to be appointed; their duty.

Oath of Commissioners.

In case of appeal Court to order a new valuation.

spring, or other sources, within sixty-five miles of the City of Charleston, into and through the said city, with the consent of the City Council of Charleston first had and obtained; and shall have full power and authority to make canals, build dams, erect locks, lay conduits or tunnels, for the conveyance of said water, through, under or along any highway in the country adjacent, or any street or streets, lane or lanes, alley or alleys, in the City of Charleston, for the purpose of conveying and distributing said water; and the canals, locks, dams, conduits or tunnels, from time to time, to renew and repair, and, for such purposes, to dig, break up, and to open, at their own expense, all and any part of the highways, streets, lanes and alleys, and of the middle or side pavement thereof, leaving, at all times, a sufficient passage for carriages, horses and foot passengers, and restoring forthwith to their former condition all such highways, streets, lanes and alleys, and the pavements thereof, as may, at any time, be taken up, opened or dug; and the said company shall have full power and authority to erect buildings, and to hold such real and personal estate as may be requisite and proper to carry on the business aforesaid; and the said corporation shall have full power to raise, by subscription, in shares of twenty-five dollars each, a capital of five hundred thousand dollars, with the privilege of increasing the same to five millions dollars, if so much be deemed proper; and the said corporation may, by purchase or otherwise, take and hold any land necessary for the establishment of their works, and also all private rights of way, water courses or other easement which may be on or along the route through which such canals, locks, dams, conduits or tunnels over or through any public road, river, creek, water course or waters, that may be on the route, but in such manner as shall not obstruct the passage of the public road or the navigation of the stream. Lands or private rights of way for canals, locks, dams, conduits or tunnels, which cannot be purchased from the owner for want of agreement, or from any other cause, may be taken by the company, at a valuation to be made by Commissioners appointed by the Court of Common Pleas of the County in which any part of the land or right of way may be situated. The Commissioners, before acting, shall be sworn, before some Magistrate, faithfully and impartially to discharge the duties assigned them. Their proceedings, accompanied by a full plat and description of the land, shall be returned under their hands and seals to the Court from which the commissions issued, there to remain of record. Either party may appeal from this valuation at the next session of the Court granting the commissions, giving fifteen days' notice to the opposite party of such appeal; and the Court shall order a new valuation to be made

by a jury, who shall be charged therewith in the same term, and the verdict shall be final and conclusive, unless a new trial be granted; and the land, or right of land, so valued by the Commissioners or jury, shall vest in the company in simple fee, so soon as the valuation be tendered and refused. The pendency of an appeal by either party from the valuation of the Commissioners shall not prevent the company from proceeding in the construction of their work in or upon the land or right of way; but, if the appeal be made by the company, it can proceed only upon giving the opposite party a bond with good security, to be approved by the Clerk of the Court when the valuation is returned, in a penalty of double the valuation, conditioned on payment of the valuation and interest in case the valuation be sustained, and for payment of the valuation made by the jury and sustained by the Court, in case it be reversed. In all such assessments made by the Commissioners or jury, after the construction of the works or appurtenances upon the land, reference shall be had to the true value of the land at the time the construction was begun. The land covered by said works, and the space of twenty-five feet on each side, shall be deemed in actual possession of the company; a majority of the Commissioners shall be competent to perform the duties required of them in this Section. Nothing in this Act contained shall authorize the company to take or invade, without the consent of the owners, any dwelling house, yard, garden, graveyard, or ornamental trees. In the absence of any written contract between the company and the owners of the land through which the works may have been constructed, it shall be presumed that the land required and occupied by the company, with twenty-five feet on each side, has been granted to the company by the owners; and the company shall have good right and title to it, and shall hold it unless the owner, or some one claiming under him, shall apply for the assessment of the value of the land, as before directed, within ten years after the construction of the works on or through the said land. If within that time no application be made for assessment by the owners or some one claiming under him, he, or they, shall be barred forever from recovering the same, or having any compensation; but this limitation shall not affect the rights of *femme covert*s, infants or lunatics until two years after the removal of their several disabilities: *Provided, nevertheless,* That should the Commissioners aforesaid give any compensation in damages to the owner or owners of any land or private rights of the way taken and occupied, as aforesaid, by the Charleston Water Company, the said company shall be held liable for the cost of the proceedings, and should such owner or owners, as aforesaid, fail to recover any compensation, as aforesaid,

A. D. 1872.

Rights of both parties during pendency of appeal.

Manner of valuation.

Presumption in case no contract is made.

Proviso.

Liability of company and owners of land for costs of proceedings.

A. D. 1872.

from said company, that such owner or owners shall, in like manner, be liable for the costs of the proceedings; and either party may enforce, by execution, the collection of the costs aforesaid; or should the jury on appeal, as aforesaid, give no greater compensation in damages to the owner or owners of any lands or private rights of way, taken and occupied, as aforesaid, by said company, than was given therefor by the Commissioners aforesaid, with interest added thereto, then such owner or owners shall be liable for and pay all costs and expenses of the proceedings and appeal; but, if such owner or owners recover a greater amount of compensation in damages than was given by the Commissioners aforesaid, with the costs, expenses of the proceedings before said Commissioners, and interest added, then such owners shall recover all the costs and expenses of said proceedings and appeal of said company.

May establish
reservoirs and
fountains.

SEC. 3. That the said company shall have full power and authority to establish reservoirs and fountains in such part of the streets and squares of said city, with the consent of the City Council of Charleston first had and obtained, or adjacent thereto, or elsewhere, to be connected with the works, as they may think proper, and to extend to all persons whomsoever, and to all bodies corporate and politic, the privilege of using said water, to be introduced in such manner, and on such terms and conditions, and in quantities, respectively, as they may think fit; the said waters to be introduced, together with all reservoirs, canals, drains, locks, conduits, tunnels, engines, buildings and machines to be by them made and used for the purpose of introducing, raising and distributing said water, to hold to them, their successors and grantees forever, as their sole and exclusive property.

Privilege of
using said water
to be granted on
such conditions
as they think fit.

Shares deemed
personal estate,
and may be
transferable.

SEC. 4. That the said shares of the capital stock aforesaid, of the said corporation, to be deemed personal estate, and be transferable only on the books of the said corporation; and no part of the said capital shall, at any time, or under any pretense whatever, be loaned or divided among the stockholders, until the liabilities of said corporation, other than the bonds hereinafter authorized, have been lawfully paid.

In case of fail-
ure to pay in-
stallments,
shares of default-
er to be sold at
auction.

SEC. 5. That, if the proprietor of any share shall neglect or refuse to pay installments assessed thereon for the space of thirty (30) days after the time appointed for the payment thereof, the Treasurer of the company may, by order of the Board of Directors, sell, by public auction, a sufficient number of any shares held by such defaulter to pay all installments then due by him, together with the necessary and incidental charges; and the Treasurer shall give notice of the time and place of such sale, and of the sum due on each share, by advertising the same, for two successive weeks pre-

vious to such sale, in some newspaper in the city of Charleston; and a bill of sale of the shares so sold shall be made by the Treasurer of the company to the purchaser thereof, who shall thereupon be entitled to have the same transferred to him on the books of the company, and shall be liable for all future installments of the stock he may purchase.

A. D. 1872.

SEC. 6. That at any time after the organization of said company, as provided for in the next Section of this Act, the said company may issue bonds of such denomination and form as may be deemed for the best investment of the company, bearing interest not exceeding seven (7) per cent. on the dollar, payable at such times, manner and places as may be deemed expedient, to an amount not exceeding three millions of dollars, and may make, execute and deliver a mortgage, in such manner, form, and to such trustee or trustees, or otherwise, as may be deemed best, upon all the property, assets and effects, and rights, privileges and franchises of said company, then owned by said company, or which may be at any time acquired or owned by said company, or to which it may be entitled; to recover the payment of the principal and interest upon each and all said bonds, according to their tenor and effect; and upon such mortgage being recorded in the office of Register of Mesne Conveyance in the city of Charleston, in the State of South Carolina, the same shall be and become a lease upon all property, assets and effects, and all the rights, privileges, enfranchises, the said company, by which company, all to which it is entitled to at the date of said mortgage, or which said company may, at any time thereafter, require or own, or become entitled to.

Issue of bonds provided for.

Mortgage.

Such mortgage when recorded in office of Register of Mesne Conveyance shall become a lease.

SEC. 7. The said Daniel Tyler, Daniel M. Porter, Chas. H. Simon-ton, Edwin Parson, Timothy Hurley, Alva Gage, and their associates, may open books and take subscriptions for the capital stock of said company, in such a manner as they may deem expedient; and whenever such subscriptions shall amount to the sum of one hundred thousand dollars, the stockholders having had two weeks' notice in writing, or in one of the public newspapers in the city of Charleston, may meet and elect a President, Treasurer and Board of Directors or such other officers as they may deem necessary for organizing the said company and conducting the affairs thereof. Thereupon the right, franchises, powers and privileges granted by this Act shall become vested under this Act; and the company shall be a body corporation therein provided; and the said Board of Directors shall continue in office until their successors shall have been duly elected; and, until otherwise provided by the by-laws of the said corporation, shall have power to dispose of the residue of the capital stock of said company not subscribed for, in such manner

Books of subscription.

Election of officers.

Term of office.

A. D. 1872.

Manner of
voting.

and at such time as they may deem fit; and at the said election of officers, and at all meetings of the said company, any stockholder shall be entitled to one vote for every share held by him; that the Directors shall submit to the stockholders, annually, a written statement, under oath or affirmation, of the Treasurer of the corporation, setting forth the amount of capital stock paid in, and of the general assets of the company.

Penalty for
tampering in
any manner
with water or
works of said
company.

SEC. 8. That if any person or persons shall, wantonly, negligently, or maliciously divert the water, or any part thereof, of any ponds, streams, springs or water sources which shall be taken by said company in pursuance of the provisions of this Act, or shall corrupt the same, or render it impure or offensive, by mingling other substances with it, or by washing or swimming in it, or by erecting any privy or nuisances near it, or by any other means whatever, or shall injure or destroy any dam, lock, aqueduct, pipe, conduit, hydrants, machinery, or any other property held, owned, or used by the said company, by the authority and for the purposes of this Act, any such person or persons shall forfeit and pay the said company treble the amount of damages sustained by such company, to be recovered by a civil action; and any such person or persons shall, moreover, be deemed guilty of misdemeanor, and may, on indictment and conviction thereof, be punished by fine, not exceeding five hundred dollars, and imprisonment, not exceeding one year, at the discretion of the Court.

Action or com-
plaint to be tried
by Courts in this
State.

SEC. 9. That any such action or complaint of said company, against any person or persons whatsoever, on account of, or grounded on a trespass or injury done to the said work, or any tunnels, locks, dams, conduits, canals, water courses, pipes, hydrants, machinery or other property of said company, or appertaining to the same, shall, in every instance, be held and deemed as transitory in its nature, and may be brought, sustained and tried in any Court of this State, having jurisdiction in such like cases; and nothing in this Act, providing for special remedies of the said company, shall be construed to deprive them of the right, or impair the same, of bringing any suit in law or equity, to which they would otherwise be entitled.

Said company
not to interfere
with privileges
conferred on
Edisto and Ash-
ley Canal Com-
pany.

SEC. 10. That nothing in the foregoing Act shall in any way interfere with the privileges accorded to the Edisto and Ashley Canal Company.

Capital stock
not to be used in
banking opera-
tions.

SEC. 11. That this Act shall continue in force from and after the passage thereof, and no part of the capital stock, nor any of the funds of the corporation, shall at any time, during the continuance of this charter, be used directly or indirectly in banking operations, or for any other purposes whatever, inconsistent with this Act.

Approved March 15, 1872.

*AN ACT TO INCORPORATE THE BEAUFORT BANKING AND TRUST COMPANY.

A. D. 1872.

No. 218.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James M. Crofut, Alfred G. Thomas, Robert Smalls, W. J. Whipper, N. B. Myers, and such other persons as may hereafter be associated with them, and their successors and assigns, are hereby constituted a body corporate, under the name of the "Beaufort Banking and Trust Company," and by that name shall have succession, and may sue and be sued in any Court whatever, with such powers and privileges as are hereinafter provided.

Corporators.

Corporate name

SEC. 2. That the capital stock of said company shall not exceed one million (1,000,000) dollars, divided into shares of one hundred (100) dollars each; but when fifty thousand dollars (\$50,000) thereof shall have been actually subscribed and paid in, in cash, the said company may organize and proceed to business under this Act.

Capital stock.

SEC. 3. That the said company shall have power to make advances to planters, for the purpose of developing the agricultural interests of the State, upon loans, mortgages or part interest in the crops to be raised; to receive deposits of money and other valuables, and issue receipts for the same; to buy and sell bonds, bills of exchange and promissory notes, and advance and loan moneys, securities and credits; and may charge and receive, in addition to interest, such a commission on advances of money and negotiating loans as may be agreed upon between said company and the party or parties buying or selling such bonds, bills of exchange and promissory notes, or borrowing or receiving such moneys, securities or credits; and such commissions or interest may be made payable in money, or in a share of the products or profits of the property given or pledged as security for such loan and advances, or partly in money and partly in a share of such products or profits, without creating any partnership or joint liability between said company and said party or parties; and the said company shall have power to take and hold as security for, or in payment of, any loans or advances made, mortgages or other instruments, or obligations upon or affecting real, personal or mixed property, and may cancel or assign the same; and said company shall have power to purchase, hold, sell, exchange and convey lands or other property, of any nature, and may execute and issue all such receipts, certificates, contracts or other instruments, as may be necessary for the transaction of its business. Said company may, at their discretion, guarantee the payment of the principal or interest, or both, or any notes, bonds, bills

Powers and privileges.

*See note at foot of page 297.

A. D. 1872.

of exchange, or other evidence of individuals or bodies corporate, and may receive such compensation therefor as may be agreed upon between the parties.

Deposits.

SEC. 4. That the said company shall have power to receive moneys in trust or on deposit, and to invest or accumulate the same, at such rate of interest as may be agreed on, or to allow such interest thereon as may be agreed on; shall have power to accept and execute all such trusts, of every description, as may be committed to them, by any person or persons whomsoever, or any corporation, or may be committed or transferred to them by order of any Court; and shall have power to take and accept, by grant, assignment, transfer, devise or bequest, and hold any real or personal estate on trust created in accordance with the laws of this State, and execute such legal trusts, in regard to the same, on such terms as may be declared established or agreed upon in regard thereto.

May hold property in trust.

Officers of company.

SEC. 5. That the business and corporate powers of said company shall be exercised by a Board of not less than five Directors, who shall elect from their number a President, and may declare, by by-laws, what number of Directors shall be a quorum for the transaction of business.

Books of subscription.

SEC. 6. That James M. Crofut, Alfred G. Thomas, Robert Smalls, W. J. Whipper, N. B. Myers, named in the first Section of this Act or any two or more of them, shall be, and they are hereby, appointed Commissioners to open books for subscription to the capital stock of said company, at such times and places, and for such amounts, as they, or a majority of them, shall deem proper, but for no less amount of subscription than fifty thousand (50,000) dollars, as hereinbefore provided. The Directors of said company shall be elected by a majority in interest of the stockholders of said company, voting at an election to be held under the inspection of said Commissioners, at such place as they may designate, within twenty days from the closing of the subscription called for by them, and on the first Monday in February in every year thereafter; and, if there should be no election of Directors at any annual meeting, as hereinafter directed, the Directors then in office shall continue until the next election, in which the majority of the stock shall be represented.

Election of Directors.

Principal office; where located.

Agencies.

SEC. 7. That the principal office of this company shall be located in the town of Beaufort; that the Board of Directors shall have power to establish agencies, for the transaction of the business of the said company, at any place they may think proper, and to appoint all such agents, officers or employees as may be considered necessary, and may delegate power to transact any of its business to Committees or Directors, or to its officers or agents, as it shall deem proper; and said Board of Directors may, by a majority of their whole num-

ber, make such by-laws as may be deemed necessary for the management of the property, the government of the officers, and the regulation and conduct of the affairs of said company; and may adopt a corporate seal, and change the same at pleasure.

A. D. 1872.
Rules and by-laws.

SEC. 8. That the minutes of the proceedings of the Board of Directors shall be kept, and the same shall be entered in a book for that purpose, and signed by the President, or acting Chairman or Secretary. Stockholders shall be entitled to certificates of their respective shares of capital stock, which shall be transferable, as provided in such certificates; and the Board of Directors shall cause suitable books for the registry and transfer of such shares to be kept, and every such transfer, to be valid, shall be made in such books, and signed by the shareholder, or his or her attorney, duly authorized in writing, and the Board of Directors may close the transfer books, from time to time, as the convenience of the company may require.

Recording of minutes.

Shares transferable.

Books for registry and transfer.

SEC. 9. That the Board of Directors, out of the funds of said company, shall defray its expenses and pay its debts, and may declare and pay out of the surplus net profits of its business, to its shareholders, or their duly authorized attorneys, such dividends as they shall deem expedient.

Dividends.

SEC. 10. That the capital stock of said company may, at any time, be increased to any amount not exceeding, in the aggregate, one million dollars, by the addition of new shares, of one hundred (100) dollars each, duly subscribed for and paid in, in such a manner and upon such terms as the Board of Directors shall prescribe: *Provided*, That such increase shall have been first authorized by the votes of a majority in interest of the stockholders.

Increase of capital stock.

SEC. 11. That the stockholders of this company shall be liable for the debts and obligations of the company to the extent of double the amount of stock held by them.

Liability of stockholders.

SEC. 12. That the stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise; and, further, no Director or other officer of said corporation shall borrow any money from said corporation. And if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

Directors prohibited from borrowing money from corporation.

SEC. 13. That this Act shall take effect immediately upon its passage, and shall continue in force for ninety-nine years.

Approved March 15, 1872.

A. D. 1872.

No. 219.

AN ACT AUTHORIZING, AND DIRECTING THE COMPTROLLER GENERAL AND COUNTY COMMISSIONERS TO LEVY CERTAIN TAXES.

Five mills for
fiscal year 1872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and directed to levy and cause to be collected a tax of five mills on the dollar of all taxable property in the State, to meet appropriations for the fiscal year commencing November 1st, 1872.

Two mills for
school purposes.

SEC. 2. That the Comptroller General be, and he is hereby, authorized and directed to levy, in addition to the general State levy hereinbefore provided for, a tax of two mills on the dollar on all the taxable property in the State, for the support of public schools, which shall be collected at the same time the general State levy is collected and paid into the Treasury of the State; the same shall be the State School Fund, and shall be kept, by the State Treasurer, separate and apart from all other funds in his possession, and shall, under no circumstances, be used for other than school purposes.

School tax to
be kept separate
from other
funds.

To be used only
for school pur-
poses.

Five mills for
deficiency of
year 1871.

SEC. 3. That the Comptroller General is hereby authorized and required to levy and cause to be collected, in addition to the levies authorized in the preceding Sections of this Act, a tax of five mills on a dollar, of all the taxable property in the State, to pay the deficiency of the year commencing November 1st, 1871.

Three mills for
County purposes.

Fairfield—one
and one-half
mills.

Taxes—in what
moneys receivable.

SEC. 4. That the County Commissioners of each of the Counties are hereby authorized to levy and cause to be collected a tax not exceeding three mills on a dollar of all the taxable property in their respective Counties, except the County of Fairfield, in which the County Commissioners shall levy a tax of not more than one and one-half ($1\frac{1}{2}$) mills, for the fiscal year commencing November 1st, 1872, said tax to include the highway tax for the said year.

SEC. 5. The taxes to be collected, in accordance with the provisions of this Act, shall be paid in gold and silver coin, in United States currency, National Bank Notes and bills receivable of the State.

Certain Acts
and Resolutions
suspended.

Provido.

SEC. 6. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, inconsistent with the provisions of this Act, be, and the same are hereby, suspended for the purposes of this Act only: *Provided*, That nothing herein contained shall affect any Joint Resolutions, passed at the previous sessions, looking to collection of a special tax for specific purposes for any County.

SEC. 7. That the Joint Resolution approved March 13, 1872, en-

titled "Joint Resolution authorizing and directing the State Auditor and County Commissioners to levy certain taxes," be, and the same is hereby, repealed.

A. D. 1872.
 Certain Joint
 Resolution re-
 pealed.

Approved December 20, 1872.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF ONE-THIRD OF THE SALARY AND MILEAGE OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

No. 220.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the payment of one-third of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other incidental expenses, the sum of seventy-five thousand dollars, if so much be necessary, be, and the same is hereby, appropriated.

Payment of
 one-third of sala-
 ry provided for.

Seventy-five
 thousand dollars
 appropriated.

SEC. 2. That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and directed to furnish each member of the respective bodies a pay certificate for the amount of one-third of his salary.

Clerk of each
 body to furnish
 certificates.

SEC. 3. That such certificates shall conform to the provisions of Section 23, Article 2, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

Certificates —
 how certified and
 attested.

SEC. 4. That the subordinate officers and employees of the General Assembly shall in like manner be furnished with pay certificates, in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall respectively belong: *Provided, however,* That the pay certificates for services rendered common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Subordinate of-
 ficers and em-
 ployees — pay-
 ment of provi-
 ded for.

SEC. 5. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers there-

Treasurer to
 pay certificates
 at his counter.

A. D. 1872.

for ; and he is also authorized and required to retain in the Treasury sufficient moneys from incoming taxes to meet the demands of such orders or certificates.

Approved December 20, 1872.

No. 221. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR A GENERAL LICENSE LAW."

General license
law repealed.

When to take
effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to provide for a General License Law," approved March 13, A. D. 1872, be, and the same is hereby, repealed.

SEC. 2. That this Act shall take effect from the first day of April, A. D. 1873.

Approved December 20, 1872.

No. 222. AN ACT TO PROVIDE FOR THE RELINQUISHMENT TO THE UNITED STATES, IN CERTAIN CASES, OF TITLES TO LANDS FOR SITES OF LIGHT STATIONS ON THE COASTS AND WATERS OF THIS STATE.

Manner of ob-
taining titles for
lands for light
stations when
owners are mi-
nor-, non-resi-
dents, etc.

Judge of Dis-
trict Court to
give notice of
application by
publication.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, whenever it shall be made to appear to any one of the Circuit Courts of this State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land and the right of way thereto, within the limits of this State, for the erection of a light-house, beacon-light, range-light, buoy-depot, or other buildings, needed for light-house purposes; and that the owner or owners of said land are unknown, non-residents, or minors, or, from any other cause, are incapable of making a perfect title to said lands, or in case the said owners, being residents and capable of conveying, shall, from disagreement in price, or any other cause whatever, refuse to convey the said lands to the United States, it shall be the duty of the Judge of the District Court in which the lands so designated to be purchased are situated, to

order notice of the said application to be published in some newspaper nearest to where said lands lie; also in one newspaper published in the city of Columbia, once in each week, for the space of four months, which notice shall contain an accurate description of the said lands, together with the names of the owners, or supposed owners, and shall require all persons interested in the said lands to come forward, on a day to be specified in said notice, and file their objections, if any they should have, to the proposed purchase; and at the time specified in said notice, it shall be the duty of the said District Court to empanel a jury, in the manner now provided by law, to assess the value of the said lands at their fair market value, and all damage sustained by the owner of the lands so appropriated by reason of such appropriation; which amount, when so assessed, together with the entire costs of said proceedings, shall be paid into the County Treasury of the said County in which said proceedings are had; and thereupon the Sheriff of the said County, upon the production of the certificate of the Treasurer of said County that the said amount has been paid, shall execute to the United States, and deliver to their authorized agent, a deed of the said lands, reciting the proceedings in said cause, which said deed shall convey to the said United States a good and absolute title to the said lands against all persons whatsoever.

A. D. 1873.

Notice—what to contain.

Jury to be empannelled to assess value of lands, &c.

Amount assessed and costs to be paid into County Treasury.

Sheriff to execute titles to U. S.

Disposition of money so paid in.

Treasurer to give bond—by whom approved.

With whom filed

Proof of publication—how required.

Jurisdiction of S. C. ceded.

State to retain concurrent jurisdiction with United States.

SEC. 2. That the money so paid into the County Treasury shall there remain, until ordered to be paid out by a Court of competent jurisdiction.

SEC. 3. That it shall be the duty of the Judge directing the money to be paid to a County Treasurer, in accordance with the provisions of this Act, to require of such Treasurer, a bond in double the amount of money ordered to be paid by him, with two or more sufficient sureties, to be approved by said Judge. Said bonds shall be payable to the people of the State of South Carolina, for the use and benefit of such persons, severally, as are entitled to said money. Said bonds shall be executed and approved, and filed with the Clerk of said Court, before receiving said money.

SEC. 4. That in all cases of publication of notice under this Act, the Court shall require the same proof as in cases of publication of notice under the civil practice Act of this State.

SEC. 5. That the jurisdiction of the State of South Carolina, is hereby ceded to the United States of America, over so much land as may be conveyed to the said United States in the foregoing specified manner for light-house purposes: *Provided*, That such jurisdiction is granted upon the express condition that the State of South Carolina shall retain a concurrent jurisdiction with the United States, in and over said lands, so far as that civil process, in all

A. D. 1873.

cases not affecting the real or personal property of the United States, and such criminal, or other process, as shall issue under the authority of the State of South Carolina, against any person or persons charged with crimes or misdemeanors, committed within or without the limits of the said lands, may be executed therein, in the same way and manner as if no jurisdiction had been hereby ceded.

Lands ceded as
above exempt
from taxation.

SEC. 6. That all the lands and tenements which may be granted as aforesaid, to the United States, shall be and continue, so long as the same shall be used for the purposes in this Act mentioned, exonerated and discharged from all taxes and assessments, and other charges which may be imposed under the authority of the State of South Carolina.

Approved January 16, 1873.

No. 223. AN ACT TO INCORPORATE THE IRISH RIFLE CLUB, OF CHARLESTON, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James Armstrong, James J. Grace, D. O'Neill, A. G. Magrath, and all persons who now are, or may hereafter become, members of the Irish Rifle Club, of Charleston, S. C., be, and are hereby, constituted and declared a body politic and corporate, by the name and style of the Irish Rifle Club, of Charleston, S. C.

Corporate name.

Powers and
privileges.

SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members, according to its by-laws, and shall have power to make all necessary by-laws, not repugnant to the laws of the land; to sue and be sued, plead and be impleaded, in any of the Courts of this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise or bequest, or in any other manner whatsoever, and the same, or any part thereof, to sell, alien, incumber, mortgage, or convey at the will and pleasure of such corporation: *Provided*, That the amount of property, real and personal, so held, shall not, at any one time, exceed the sum of twenty-five thousand dollars.

SEC. 3. That this Act shall continue in force for the space of

fourteen years, and until the meeting of the next General Assembly thereafter, and that the same be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

A. D. 1873.

Approved January 16, 1873.

AN ACT TO PERMIT SAMUEL N. ANDERSON, OF HORRY COUNTY, TO ADOPT SAMUEL LAWSON, AND MAKE HIM HIS LAWFUL HEIR, AND TO CHANGE THE NAME OF SAMUEL LAWSON TO SAMUEL N. ANDERSON, JR. No. 224.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel N. Anderson, of Horry County, is hereby authorized and empowered to adopt and make his lawful heir Samuel Lawson, and that the name of the said Samuel Lawson shall be changed to Samuel N. Anderson, Jr.

Samuel Lawson's name changed to Anderson.

SEC. 2. That should the said Samuel N. Anderson die intestate, the said Samuel N. Anderson, Jr., shall inherit, in common with the other lawful heirs of the said Samuel N. Anderson, his estate, both personal and real.

Made lawful heir.

Approved January 16, 1873.

AN ACT TO CONFER THE RIGHTS OF LEGITIMACY UPON THEODORE STARK HOUSE AND POWELL HOUSE. No. 225.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the rights of legitimacy be, and the same are hereby, conferred upon Theodore Stark House and Powell House, illegitimate sons of Jesse House, and that they be considered legal heirs of their said father, as if born in lawful wedlock.

Sons of Jesse House legitimated.

Approved January 16, 1873.

A. D. 1873.

No. 226.

AN ACT CEDING THE JURISDICTION OF THE STATE OF SOUTH CAROLINA TO THE UNITED STATES OF AMERICA OVER CERTAIN LANDS IN THE COUNTY OF DARLINGTON, KNOWN AS THE "NATIONAL CEMETERY."

Jurisdiction
over National
Cemetery ceded
to United States.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the jurisdiction of the State of South Carolina is hereby ceded to the United States of America over certain lands situated in the County of Darlington, and near the town of Florence, known as the "National Cemetery:" *Provided*, That the jurisdiction hereby ceded shall not vest until the United States of America shall have acquired the title to the said lands by grant or deed from the owner or owners thereof, and the evidences of the same shall have been recorded in the office where, by law, the title to such lands is recorded; and the United States of America are to retain such jurisdiction so long as such lands shall be used for the purposes in this Act mentioned, and no longer; and such jurisdiction is granted upon the express condition that the State of South Carolina shall retain a concurrent jurisdiction with the United States in and over the said lands, so far as that civil process, in all cases not affecting the real or personal property of the United States, and such criminal or other process as shall issue under the authority of the State of South Carolina, against any person or persons charged with crimes or misdemeanors committed within or without the limits of said lands, may be executed therein in the same way and manner as if no jurisdiction had been hereby ceded.

.Conditions
upon which said
cemetery is ce-
ded.

Lands so ceded
exempt from
taxation.

SEC. 2. That all lands and tenements which may be granted, as aforesaid, to the United States, shall be and continue, so long as the same shall be used for the purposes in this Act mentioned, exonerated and discharged from all taxes, assessments and other charges which may be imposed under the authority of the State of South Carolina.

Approved January 16, 1873.

No. 227. AN ACT PROVIDING FOR THE EXTENSION OF THE TIME FOR THE PAYMENT AND COLLECTION OF TAXES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1872.

Preamble.

Whereas delay in the levy of certain taxes to meet appropriations for the fiscal year commencing November 1, 1872, has contin-

ued beyond the time prescribed by law for the commencement of the collection of the same, and the time for the payment of said taxes before penalties must attach is now unavoidably and unusually limited; therefore,

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any of the duties required to be performed in an Act entitled "An Act providing for the assessment and taxation of property," or in any Act of amendment thereto, on or before a certain day, by any officer or person therein named, cannot, for want of proper time, be so performed in the payment or collection of taxes to be levied to meet appropriations for the fiscal year commencing November 1, 1872, the Comptroller General, with the approval of the Governor, may extend the time as long as may be necessary therefor.

A. D. 1873.

The Comptroller General, with approval of the Governor, may extend the time for collection of taxes for fiscal year 1872.

Approved January 16, 1873.

AN ACT TO AMEND SECTION 2, CHAPTER XXV, OF THE GENERAL STATUTES OF SOUTH CAROLINA. No. 225.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2, of Chapter XXV, of the General Statutes of South Carolina, be amended as follows, viz: That Trial Justices shall be distributed as the convenience of the several Counties requires, and the number in commission shall not exceed, in Abbeville, thirteen; Aiken, ten; Anderson, sixteen; Barnwell, eight; Beaufort, thirteen; Charleston, twenty-four; Chester, eight; Clarendon, six; Colleton, twelve; Chesterfield, five; Darlington, ten; Edgefield, twelve; Fairfield, eight; Georgetown, eight; Greenville, nine; Horry, eleven; Kershaw, nine; Lancaster, nine; Laurens, seven; Lexington, nine; Marion, ten; Marlboro, six; Newberry, six; Oconee, nine; Orangeburg, ten; Pickens, eight; Richland, twelve; Spartanburg, thirteen; Sumter, eight; Union, eight; Williamsburg, ten; York, twelve.

Number of Trial Justices for each County designated.

Approved January 25, 1873.

A. D. 1873.

No. 229.

AN ACT TO AMEND SECTION 12, CHAPTER CIII, OF THE GENERAL STATUTES OF SOUTH CAROLINA.

Imprisonment
provided for.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12, Chapter CIII, of the General Statutes of South Carolina, be amended by adding after the word "dollars," in line fifteen, these words: "or be imprisoned for a period not less than one month, nor more than one year, at the discretion of the Court."

Approved January 25, 1873.

No. 230. AN ACT TO FIX THE TIME OF HOLDING THE APRIL TERM OF THE SUPREME COURT.

April Term to
commence on
third Tuesday of
April.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter the April Term of the Supreme Court shall commence on the third Tuesday of April in each year.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved January 25, 1873.

No. 231. AN ACT TO EMPOWER THE SUPREME COURT TO FRAME ISSUES AND DIRECT THE SAME TO BE TRIED IN THE CIRCUIT COURT, AND TO ORDER REFEREES IN CERTAIN CASES.

Supreme Court,
when may frame
issues.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever, in the course of any suit, action or proceeding in the Supreme Court, arising in the exercise of the original jurisdiction conferred upon the Court by the Constitution and laws of the State, an issue of fact shall arise upon the pleadings, or whenever an issue of fact shall arise upon a traverse to a return in *mandamus*, prohibition or cer-

tiorari, or whenever the determination of any question of fact shall be necessary to the full exercise of the jurisdiction conferred on the Supreme Court, the said Court shall have power to frame an issue therein, and certify the same to the Circuit Court for the County wherein the cause shall have originated, or, in cases of original jurisdiction, to the Circuit Court of the County in which the cause of action shall have arisen.

A. D. 1873.

SEC. 2. That upon receiving the certificate of such issue framed, from the Supreme Court, the said Circuit Court shall forthwith cause the same to be placed at the head of the appropriate calendar or docket of said Court, and proceed to try and determine the said issue in its due order, and shall certify the determination thereof to the Supreme Court immediately after the trial thereof, and, when required, shall settle and sign a case, or a case containing exceptions, according to the practice in other causes tried in the Circuit Court.

Circuit Court to place issue at head of Calendar, try same, and certify determination to Supreme Court.

SEC. 3. That the Supreme Court shall also have the same powers for the appointment of Referees to take testimony and report thereon, under such instructions as may be prescribed by the said Court, in any causes arising in the Supreme Court, wherein issues of fact shall arise, as are now possessed by the Circuit Court of the State.

Supreme Court may appoint Referees to take testimony.

Approved January 25, 1873.

AN ACT AUTHORIZING THE ATTORNEY GENERAL TO COMMENCE PROCEEDINGS AGAINST THE COMMISSIONERS OF THE SINKING FUND.

No. 232.

Whereas, an Act of the General Assembly of South Carolina, approved March 1, 1870, entitled "An Act to provide for a Sinking Fund and the management of the same," did create a Sinking Fund Commission, with certain powers and duties, to dispose of certain real estate, assets and effects belonging to this State, not in actual public use, etc.; and whereas large sales have been made, and large amounts realized by the said Commissioners; and whereas the said Commissioners have failed, as by law they are required to do, to make an annual report to the General Assembly of the condition of the Sinking Fund, and all sales and other transactions connected therewith; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gene-

A. D. 1873.

Attorney General to institute proceedings against Commissioners Sinking Fund.

To compel them to make report.

Penalty for neglect or refusal to report.

Attorney General may employ assistance.

ral Assembly, and by the authority of the same, That the Attorney General be, and he is hereby, authorized and directed to institute, immediately upon the passage of this Act, such proceedings as will cause the Commissioners of the Sinking Fund, created under an Act entitled "An Act to provide for a Sinking Fund and the management of the same," approved March 1, 1870, to make a full and complete report to him of the condition of the Sinking Fund, and all sales or other transactions therewith, and all revenues derived from such sales, and how the proceeds of the same have been applied to the extinguishment of the public debt by investment in the public securities of the State.

SEC. 2. That should the said Commissioners of the Sinking Fund fail or refuse to make a full and complete report of all their transactions in office to the Attorney General within ten days from the passage of this Act, the Attorney General is then authorized and directed to commence at once such legal process against the said Commissioners of the Sinking Fund as will best protect the interest of the State.

SEC. 3. That the Attorney General be, and is hereby, authorized to employ such assistance as he may need in defending the interest of the State by the prosecution of the said Commissioners of the Sinking Fund.

Approved January 25, 1873.

No. 233. AN ACT TO CHANGE THE NAME OF ELMIRA McNARY SPEERS TO ELMIRA McNARY RICHIE, AND TO PERMIT CURTIS M. RICHIE, AND HIS WIFE SARAH V. RICHIE, TO ADOPT HER, AND MAKE HER THEIR LAWFUL HEIR.

Preamble.

Whereas the said Curtis M. Richie, and his wife, Sarah V. Richie, desire to adopt the said Elmira McNary Speers, who is a minor, as their own child, to confer upon her their own surname, and to make her their lawful heir; and Andrew S. Speers, the father of said minor, consents thereto; therefore,

Elmira McNary Speers' name changed to Richie.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Elmira McNary Speers be changed to Elmira McNary Richie.

Made lawful heir.

SEC. 2. That the said Elmira McNary Richie shall hereafter be deemed a lawful heir of the said Curtis M. Richie, and his wife, Sarah V. Richie, and shall, upon the death of them, or either of

them, provided they die intestate, inherit the property of them, or either of them, as if she were their own child.

A. D. 1873.



Approved January 25, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ELECTION OF THE OFFICERS OF THE INCORPORATED CITIES AND TOWNS IN THE STATE OF SOUTH CAROLINA." No. 234.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina," be amended on line three, as follows: Strike out "seven" (7) and "five" (5), and insert "six" (6) in lieu thereof.

"Six" inserted in lieu of "seven" and "five."

Approved January 25, 1873.

AN ACT TO CHANGE THE NAMES OF ALICE BRIGHT AND THOS. BRIGHT, AND TO MAKE THEM AND ISABELLA CATHARINE LYLES, WIFE OF JOSEPH R. LYLES, THE LEGAL HEIRS OF EBENEZER W. GOODWIN AND WIFE, LUCY ANN GOODWIN. No. 235.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Alice Bright and Thomas Bright be changed to Alice Goodwin and Thomas Goodwin; and that they and Isabella Catharine Lyles be declared the legal heirs of Ebenezer W. Goodwin and wife Lucy Ann Goodwin.

Alice and Thos. Bright, name changed to Goodwin.

Approved January 25, 1873.

AN ACT TO INCORPORATE THE PALMETTO STATE RIFLE CLUB, OF CHARLESTON, S. C. No. 236.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph

Corporaters.

A. D. 1873.

Corporate name.

Green, Joseph Robinson, Alexander Cross, Rix Witter, Henry Feavers, Paul P. Brown and Charles Jackson, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Palmetto State Rifle Club, of Charleston, S. C.

Powers and privileges.

SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, in any Court of this State, and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be, in any manner whatsoever, acquired by the said corporation: *Provided*, The amount so held shall not exceed the sum of ten thousand dollars.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue and be of force until repealed.

Approved January 25, 1873.

No. 237. AN ACT TO INCORPORATE THE NATIONAL ZOUAVES, OF CHARLESTON, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward G. Hoffman, D. W. Ervin, N. K. Reed, A. J. Jaeger, C. S. Surrau, W. W. Simmons, R. C. Barkley, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the "National Zouaves, of Charleston," and that they, the said corporation, may, by its corporate name, sue and be sued, implead and be impleaded in this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements, or real estate, of whatever kind and nature soever, and the same, and any part thereof, to sell, alien or convey at their will and pleasure: *Provided, however*, That the property so held shall not exceed the annual value of ten thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed. A. D. 1873.

Approved January 25, 1873.

AN ACT TO INCORPORATE THE LINCOLN LIGHT INFANTRY, OF CHARLESTON, SOUTH CAROLINA. No. 238.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James J. Young, Eli Gaskins and S. T. Lamar, and their successors and associates, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Lincoln Light Infantry, of Charleston, South Carolina. Corporators.
Corporate name.

SEC. 2. That the said corporation shall have the power to use and keep a common seal, and the same to alter at will; to make all necessary by-laws not repugnant to the laws of the land; and to have succession of officers and members conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of this State; and to have, use and enjoy all other rights, and be subject to all other liabilities incident to bodies corporate. Powers and privileges.

SEC. 3. This Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved January 25, 1873.

AN ACT TO INCORPORATE THE BOWEN RIFLEMAN COMPANY, OF THE CITY OF CHARLESTON. No. 239.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph J. Grant, Francis McNeil, Joseph C. McNeil and John Houston, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Bowen Rifleman Company," with a capital stock not exceeding five thousand dollars; with the right to sue and be sued, to plead and be Corporators.
Corporate name.

A. D. 1873.
 Powers and
 privileges.

impleaded, in any Court of competent jurisdiction; to have and to use a common seal, and the same to alter and amend at will and pleasure, and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

SEC. 2. That this Act shall be taken and deemed a public Act, to be taken in evidence without being specially pleaded, and to continue in force until repealed.

Approved January 25, 1873.

No. 240. AN ACT TO INCORPORATE THE IRISH VOLUNTEER RIFLE CLUB,
 OF CHARLESTON, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Francis L. O'Neill, Philip Fogarty, Thos. E. Hogan, D. W. Erwin, and Robert F. Toughy, of Charleston, S. C., and their associates and successors in office, be, and they are hereby, constituted and declared a body corporate and politic, under the name and style of the Irish Volunteer Rifle Club, of Charleston, S. C.

Corporate name.

Powers and
 privileges.

SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members according to its by-laws; and shall have power to make all necessary by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at pleasure; to sue and be sued, plead and be impleaded, in any of the Courts of this State; and to have, use and enjoy all other rights, powers and privileges, and be subject to all other liabilities, incident to bodies corporate; and it is hereby empowered to take, retain, possess and enjoy all such property as it may acquire by purchase, right, devise or bequest, or in any other manner whatsoever, and the same, or any part thereof, to sell, mortgage or convey at the will and pleasure of such corporation: *Provided*, That the value of property, real and personal, so held, shall not exceed twenty thousand dollars.

SEC. 3. That this Act shall be taken and deemed a public Act, and shall continue in force until repealed.

Approved January 25, 1873.

A. D. 1873.

No. 241.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE BALANCE OF THE SALARY OF THE MEMBERS OF THE GENERAL ASSEMBLY, SALARIES OF SUBORDINATE OFFICERS AND EMPLOYEES, AND THE EXPENSES INCIDENTAL THERETO.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the payment of the balance of the salary of the members of the General Assembly, salaries of subordinate officers and employees, and incidental expenses, the sum of one hundred and thirty-five thousand dollars be, and is hereby, appropriated.

\$135,000 appropriated for balance of salaries, &c.

SEC. 2. That for the payment of the current printing of this session of the General Assembly, the sum of fifty thousand dollars be, and the same is hereby, appropriated, to be expended in accordance with an Act to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly.

\$50,000 for current printing.

SEC. 3. That the Clerks of the House of Representatives and Senate be, and they are hereby, authorized and directed to furnish to each member of their respective bodies a pay certificate for the amount of salary remaining unpaid.

Clerks to furnish certificates for balance of salary.

SEC. 4. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with pay certificates in such amount as shall be fixed by that branch of the General Assembly to which such officers and employees shall respectively belong: *Provided, however*, That the pay certificates for services rendered, common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Payment of subordinate officers.

SEC. 5. That such certificates shall conform to the provisions of Section 23, Article XI, of the Constitution of the State, and shall be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body, and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

Certificates—by whom certified and attested.

SEC. 6. That the Treasurer is hereby authorized and directed to pay the said certificates at his counter prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers therefor; and he is also authorized and directed to retain in the Treasury sufficient moneys from taxes to meet the demands of such orders and certificates.

Treasurer to pay at his counter.

Approved January 28, 1873.

A. D. 1873.

No. 242.

AN ACT TO REQUIRE STATE AND COUNTY OFFICERS ELECTED BY THE PEOPLE TO QUALIFY WITHIN THIRTY DAYS AFTER RECEIVING OFFICIAL NOTIFICATION THEREOF.

All elective
officers to qualify
within thirty
days.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from the passage of this Act, it shall be the duty of each and every State and County officer elected by the people to qualify within thirty days after receiving official notification thereof; and upon the filing of such bond, and qualifying according to law, he shall enter upon the duties of said office.

Upon failure
to qualify, office
forfeited.

SEC. 2. If any officer, elected by the people, shall fail to qualify and enter upon the duties of his office, as required by the provisions of this Act, he shall forfeit the office to which he shall have been elected, and the Governor is hereby authorized to order an election, to be holden within ninety days, to fill the vacancy.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved January 29, 1873.

No. 243.

AN ACT TO ALLOW WILLIAM H. WYNNS TO CHANGE HIS NAME.

Preamble:

Whereas William H. Wynns, of Anderson County, has, by his petition, properly attested, signified a desire that leave be granted him, by the General Assembly of this State, to change his name to Wm. H. Brockman; therefore,

Wm. H. Wynns' name changed to Brockman.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William H. Wynns, of Anderson County, be allowed to change his name to William H. Brockman; and that, from and after the passage of this Act, the said William H. Wynns shall be known and called William H. Brockman.

Approved January 29, 1873.

No. 244.

AN ACT TO EXTEND THE TIME FOR OFFICERS TO QUALIFY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all officers

elected at the recent election be, and they are hereby, allowed twenty days from the passage of this Act to qualify and enter upon the duties of their respective offices; and on failure to qualify within the specified time, their respective offices shall be declared vacant by the Governor.

A. D. 1873.

Time for qualifying extended twenty days.

SEC. 2. That this Act shall take effect on and after its passage.

Approved January 29, 1873.

AN ACT TO CHANGE THE NAME OF HENRY HASH TO HENRY HASH SHIVER. No. 245.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Henry Hash, an orphan fifteen years of age, be, and the same is hereby, changed to Henry Hash Shiver.

Henry Hash's name changed to Shiver.

Approved January 29, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED." No. 246.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," be, and the same is hereby, amended by striking out, on the 5th line, the words "on the 4th Monday in March, 1871," and insert the words "on the fourth Monday of April, 1873."

"1873" inserted in lieu of "1871."

Approved January 29, 1873.

A. D. 1873.

No. 247.

AN ACT REQUIRING A BOND FROM COUNTY COMMISSIONERS, BEFORE ENTERING UPON THE DUTIES OF THEIR OFFICE.

County Commissioners to give bond.

Amount.

By whom approved.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners shall, before entering upon the duties of their office, be, and they are hereby, required to give a bond for the use of their respective Counties, in the penal sum of two thousand dollars each, with three good and sufficient sureties, to be approved by the Clerk of Court of their respective Counties, conditioned upon the faithful and impartial performance of the duties of their office: *Provided*, That the County Commissioners of Charleston County shall furnish a bond, as hereinbefore provided, in the penal sum of ten thousand dollars each; and the County Commissioners of the Counties of Beaufort, Barnwell and Richland shall furnish a bond of five thousand dollars each, as hereinbefore provided: *Provided, further*, That this Act shall not be in force until on and after the next general election of County Commissioners.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act, are hereby repealed.

Approved January 29, 1873.

No. 248. AN ACT TO REPEAL SECTIONS FIVE, SIX AND SEVEN, OF CHAPTER EIGHTY-THREE OF THE GENERAL STATUTES OF SOUTH CAROLINA.

Sections 5, 6 and 7. Chapter LXXXIII, repealed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section five, Section six and Section seven, of Chapter eighty-three, of the General Statutes of South Carolina, be, and the same are hereby, repealed.

Approved January 29, 1873.

No. 249. AN ACT TO FIX THE TIME FOR THE HOLDING OF THE CIRCUIT COURTS IN CERTAIN COUNTIES HEREIN MENTIONED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General

ral Assembly, and by the authority of the same, That from and after the passage of this Act, the Circuit Courts in the Sixth Circuit shall be held as follows:

A. D. 1873

Time for hold-
ing Courts.

1. The Court of General Sessions, at Chester, for the County of Chester, on the first Monday of January, and on the third Monday of March and September; and the Court of Common Pleas, at Chester, for the County of Chester, on the first Wednesday after the first Monday of January, and on the first Wednesday after the third Monday in March and September.

Chester—
Court General
Sessions.Court Common
Pleas.

2. The Court of General Sessions, at Yorkville, for the County of York, on the second Monday of January, and on the first Monday of April and October; and the Court of Common Pleas, at Yorkville, for the County of York, on the first Wednesday after the second Monday of January, and on the first Wednesday after the first Monday of April and October.

York—
Court General
Sessions.Court Common
Pleas.

3. The Court of General Sessions, at Lancaster, for the County of Lancaster, on the third Monday of January, April and October; and the Court of Common Pleas, at Lancaster, for the County of Lancaster, on the first Wednesday after the third Monday of January, April and October.

Lancaster—
Court General
Sessions.Court Common
Pleas.

4. The Court of General Sessions, at Winnsboro, for the County of Fairfield, on the fourth Monday of January, and on the first Monday of May and November; and the Court of Common Pleas, at Winnsboro, for the County of Fairfield, on the first Wednesday after the fourth Monday of January, and on the first Wednesday after the first Monday of May and November.

Fairfield—
Court General
Sessions.Court Common
Pleas.

SEC. 2. In the Second Circuit, the Court of General Sessions at Aiken, for the County of Aiken, the first Monday of January, May and September; and the Court of Common Pleas, at Aiken, for the County of Aiken, on the first Wednesday after the second Monday of January, May and September.

Aiken—
Court General
Sessions.Court Common
Pleas.

SEC. 3. In the Third Circuit, the Court of General Sessions shall be held at Kingstree, for the County of Williamsburg, on the first Monday after the fourth Monday of January, May and October; and the Court of Common Pleas shall be held at Kingstree, for the County of Williamsburg, on the first Wednesday after the first Monday after the fourth Monday of January, May and October.

Williamsburg—
Court General
Sessions.Court Common
Pleas.

2. The Court of General Sessions, at Conwayboro, for the County of Horry, on the first Monday after the fourth Monday of February, June and October; and the Court of Common Pleas, at Conwayboro, for the County of Horry, on the first Wednesday after the fourth Monday of February, June and October.

Horry—
Court General
Sessions.Court Common
Pleas.

A. D. 1873.

Newberry—
Court General
Sessions.Court Common
Pleas.Laurens—
Court General
Sessions.Court Common
Pleas.Union—
Court General
Sessions.Court Common
Pleas.Spartanburg—
Court General
Sessions.Court Common
Pleas.Writs, &c.,
heretofore
returnable to
Courts, return-
able under this
Act.

SEC. 4. The Circuit Courts in the Seventh Circuit shall be held as follows:

1. The Court of General Sessions, at Newberry, for the County of Newberry, on the third Monday of January, May and November; and the Court of Common Pleas, at Newberry, for the County of Newberry, on the first Wednesday after the third Monday of January, May and November.

2. The Court of General Sessions, at Laurensville, for the County of Laurens, on the third Monday of February and June, and the first Monday after the fourth Monday in November; and the Court of Common Pleas, at Laurensville, for the County of Laurens, on the first Wednesday after the third Monday of February and June, and on the first Wednesday after the first Monday after the fourth Monday in November.

3. The Court of General Sessions, at Unionville, for the County of Union, on the third Monday of March, June and September; and the Court of Common Pleas, at Unionville, for the County of Union, on the first Wednesday after the third Monday of March, June and September.

4. The Court of General Sessions, at Spartanburg, for the County of Spartanburg, on the first Monday after the fourth Monday in March and July, and on the third Monday in October; and the Court of Common Pleas, at Spartanburg, for the County of Spartanburg, on the first Wednesday after the first Monday after the fourth Monday in March and July, and on the first Wednesday after the third Monday in October.

SEC. 5. That all writs, summons, recognizances and other processes, of whatever kind, returnable to the Courts of General Sessions and Common Pleas, in the Counties above named, be, and the same are hereby, made returnable to the Courts held in pursuance of the provisions of this Act, in the same manner as if they had been issued or taken in reference thereto.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act, or repugnant thereto, be, and the same are hereby, repealed.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 4, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

AN ACT TO INCORPORATE THE DARLINGTON AGRICULTURAL AND MECHANICAL FAIR COMPANY.

A. D. 1873.

No. 250.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James L. Coker, Thomas P. Lide, John G. McCall, J. F. Earley, John W. Williamson, L. R. Ragsdale, F. M. Rogers, R. W. Boyd, Junius A. Law, S. A. Gregg, E. R. McIver, Lucas McIntosh, and their successors in office, and associates, be, and they are hereby, constituted a body politic, under the name of the Darlington Agricultural and Mechanical Fair Company, with a capital stock not exceeding four thousand dollars, in shares of ten dollars each, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction, to have and use a common seal, and the same to alter at will and pleasure, to purchase and hold real estate or other property, and with all other rights, privileges and immunities that are now secured by law to incorporate bodies of like character: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

Corporators.

Corporate name.

Powers and privileges.

Liability of corporators.

SEC. 2. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 11, 1873.

AN ACT TO INCORPORATE THE UNION ASSEMBLY SOCIETY, OF CHARLESTON, SOUTH CAROLINA.

No. 251.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John L. Fenwick, Edward N. Corbett, James L. Johnson, Joseph Grant, Daniel Middleton, their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the "Union Assembly Society, of Charleston, South Carolina."

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land, and shall have succession of officers and members according to their election; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby em-

A. D. 1873.

powered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

May invest
moneys.

SEC. 3. That said corporation may, from time to time, invest moneys, assets or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums, and on such terms and conditions, as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed twenty-five thousand (25,000) dollars.

Proviso.

SEC. 4. This Act shall continue in force until repealed, and may be given and taken in evidence without being especially pleaded.

Approved February 12, 1873.

No. 252. AN ACT TO INCORPORATE THE HARMONY CIRCLE, OF THE CITY OF CHARLESTON, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. Israel, L. H. Cohen, J. W. Goldstein, J. J. Loeb, Lewis Elias, L. Drucker, and B. Rice, and their associates and successors, be, and they are hereby, created a body politic and corporate, under the name and style of "The Harmony Circle, of the City of Charleston."

Corporate name.

Powers and
privileges.

SEC. 2. That the said corporation, hereby established, shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, in any Court in this State; and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be acquired by purchase, or in any other manner, by said corporation.

May acquire
and dispose of
property. real
and personal.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property which it may acquire, in such real or personal property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property, or by surety, in such sums, and on such terms and conditions as it may deem proper; and it shall and may be

lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer any or all of its property, real and personal, as and when it may deem proper and expedient, and to make and execute bonds, under the corporate seal, with or without mortgage, for the purchase of real or personal property.

A. D. 1873.

SEC. 4. That the members of said Society hereby incorporated shall be individually liable for the debts of said corporation, each member to the extent of one year's annual arrears, which the said member may owe to the corporation, according to its by-laws, in the year in which he may be sued for said corporation debt; but such liability shall not attach until the corporation shall have been sued, and *nulla bona* returned on execution in such suit.

Liability of members.

Liability -
When to attach.

SEC. 5. That this Act shall be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

Approved February 12, 1873.

AN ACT TO INCORPORATE THE MARINER'S CHAPEL, OF CHARLESTON COUNTY.

No. 253.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mariner's Chapel, of Charleston, in this State, is hereby incorporated, with all the rights and privileges awarded to religious denominations in this State.

Mariner's
Chapel incorpo-
rated.

SEC. 2. That the said Mariner's Chapel, of Charleston, may acquire lands within this State for religious and educational purposes, and regulate and govern the same as they may deem proper, in accordance with their laws and discipline, such laws not being inconsistent with the laws of this State.

May acquire
lands for certain
purposes.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 12, 1873.

AN ACT TO INCORPORATE THE TOWN OF HODGES, IN ABBEVILLE COUNTY.

No. 254.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be,

Corporators.

A. D. 1873.

Corporate limits.

inhabitants of the town of Hodges, in Abbeville County, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Hodges, and its limits shall be as follows: Beginning at a corner on the Abbeville road, just above W. L. Hodges'; thence, north, to a corner just over the Matthews' road, above Andrew Koon's; thence, east, to a corner at Walter Anderson's; thence, south-east, to a corner at Daniel Butler's; thence, south, to a corner at J. F. Miller's; thence, in west direction, to a corner in rear of John Miller's; thence, west, to a corner near G. M. Hodges' gin house; thence to the starting corner at W. L. Hodges'.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and of this State, and shall have been residents of said town for six months immediately preceding the election, who shall be elected on the second Monday in January in every year. The election for Intendant and Wardens shall be held in some convenient public place in said town, at least ten days' public notice of the same being given; and shall be held from nine o'clock in the morning until five o'clock in the afternoon; and when the polls shall be closed, the Managers shall forthwith count the votes and declare the election, and give notice, in writing, to the persons elected. The Intendant and Wardens, or the Clerk of the Court of Abbeville County, if there should be no Intendant or Wardens, shall appoint Managers to hold said election, and the said Managers shall take the usual oath prescribed in State elections. All male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days next preceding the election, shall be entitled to vote for Intendant and Wardens.

Election.

Electors.

Invested with powers and privileges conferred on town of Ninety-Six.

SEC. 3. The Intendant and Wardens shall take the same oaths, and have and enjoy all the rights, powers and privileges as are granted to, and conferred upon the Intendant and Wardens of the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872, and Section 6 of said Act is made of force and effect as to the town of Hodges.

First election, when to be held

SEC. 4. The first election held under this Act shall be held on the first Monday in April, 1873, and the officers elected thereat shall hold their offices until the second Monday in January, 1874, or until their successors are duly elected and qualified. The Clerk of the Court of Abbeville County shall give notice of, and appoint the Managers for, said election.

Appointment of Managers.

SEC. 5. This Act shall be deemed a public Act, and shall continue of force until repealed.

Approved February 12, 1873.

AN ACT TO INCORPORATE THE VILLAGE OF FORT MILLS, IN
THE COUNTY OF YORK.

A. D. 1873

No. 255.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons residing within the area of a square, each side whereof is one mile, and the centre whereof is White's Store, near the railroad station known as Fort Mills, in the County of York, are hereby created a body corporate, under the name of the "Village of Fort Mills," with the officers, the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the village of Cokesbury, in the County of Abbeville, by the Act of 1852, except wherein said charter may be inconsistent with the Constitution and Ordinances of A. D. 1868.

Corporators.

Corporate name.

Invested with
powers and priv-
ileges conferred
on town of
Cokesbury.

SEC. 2. That this Act shall be deemed a public Act, and shall be at all times subject to the regulations of the General Assembly thereafter.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 12, 1873.

AN ACT TO INCORPORATE THE SECOND COOSAWHATCHIE BAP-
TIST CHURCH, OF BEAUFORT COUNTY.

No. 256.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Rev. Benjamin Williams, Crockett Holmes, Oliver Osgood, P. A. Pinkey, and Robert Johnson, and their associates and successors, are hereby made a body corporate and politic, under the name and style of the Second Coosawhatchie Baptist Church, of Beaufort County, with all the powers and privileges vested in such like corporations by law; to sue and be sued, plead and be impleaded, in their corporate capacity; to have a common seal, and alter the same at will; to enact such rules and by-laws for the government of their body not repugnant to the laws of the land.

Corporators.

Corporate name.

Powers and
privileges.

SEC. 2. That this Act shall be deemed a public Act, and have perpetual succession of officers and members.

A. D. 1873.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 12, 1873.

No. 257. AN ACT TO PUNISH ANY PERSON OR PERSONS WHO SHALL SELL AND CONVEY ANY REAL OR PERSONAL PROPERTY ON WHICH A LIEN OF ANY KIND MAY EXIST, WITHOUT GIVING NOTICE OF SUCH LIEN TO THE PURCHASER OR PURCHASERS.

Penalty for selling property on which a lien exists, without giving notice of same.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act any person or persons who shall wilfully and knowingly sell and convey any real or personal property on which any lien or liens exist, without first giving notice of such lien or liens to the purchaser or purchasers of such real or personal property, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned for a term not less than ten days nor more than three years, and be fined not less than ten dollars nor more than five thousand dollars, or either or both, in the discretion of the Court: *Provided*, That the penalties enumerated in this Act shall not apply to public officers in the discharge of their official duties.

Public officers exempted from such penalties.

Approved February 12, 1873.

No. 258. AN ACT TO RENEW THE CHARTER OF WOFFORD COLLEGE, IN SPARTANBURG, SOUTH CAROLINA.

Wofford College re-chartered.

Powers and privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wofford College, in Spartanburg County, South Carolina, be, and the same is hereby, re-chartered with all the rights, powers and privileges heretofore granted to it, and that the same be, and is hereby, confirmed in its right, title, interest and estate, in and to all property, real and personal, which it now owns or may hereafter lawfully acquire.

SEC. 2. That this Act shall be a public Act, and shall continue in force until repealed.

Approved February 12, 1873.

AN ACT TO REFER TO THE QUALIFIED VOTERS OF BARNWELL COUNTY THE LOCATION OF THE COUNTY SEAT OF SAID COUNTY, COUNTY OFFICES, AND THE PLACE FOR HOLDING THE COURTS OF SAID COUNTY.

A. D. 1873.

No. 259.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, within ten days after the passage of this Act, the Governor shall issue his proclamation requiring the Commissioners of Elections for Barnwell County, on a day therein to be named, not exceeding thirty days from the date thereof, to open the polls at the various election precincts in said County, for the purpose of holding an election to determine the will of the people as to the location of the County seat of said County.

Governor to issue proclamation to Commissioners of Elections of Barnwell County to open polls for election to determine will of people as to County seat.

SEC. 2. That, at such election, the voting shall be by ballot, each qualified voter of the County being entitled to one vote, upon which shall be written or printed, or partly written and partly printed, the name of the locality at which he desires the County seat to be located: *Provided*, That, in all respects, the said election shall be held, conducted and determined as is now provided by law for the holding of elections for State and County officers.

Voting to be by written or printed ballot.

What to be written or printed thereon.

Election—How to be conducted.

SEC. 3. That, upon the canvassing of the votes given at such election, the Commissioners of Election shall certify to the Board of County Commissioners for said County the number of votes given for each locality, and the locality receiving the greater number of votes shall thenceforth be the County seat of said County, at which place the public offices shall be established and the Courts thenceforth shall be held.

Commissioners of Election to certify result to Board of County Commissioners.

Locality receiving majority of votes to be County seat.

SEC. 4. That, should a removal of the County seat be determined upon, the County Commissioners of said County are hereby charged and authorized to give full force and effect to the decision of the people at such election by the construction of such buildings as are necessary for the public use at the County seat: *Provided*, That the County Commissioners of Barnwell County shall not incur any further expense for the erection or improvement of public buildings in said County until the wishes of the people have been expressed, according to the provisions of this Act.

Duty of County Commissioners, in constructing buildings for public use.

Proviso.

SEC. 5. That, should said removal be determined upon, the said County Commissioners shall, within ninety days after said election, and after sixty days' advertisement in three newspapers, one in the County of Barnwell, one in the city of Charleston, and one in the city of Columbia, sell the present Court House building in the town of Blackville, with all its privileges and appurtenances, to the highest

If removal be determined on, Court House at Blackville to be sold.

A. D. 1873.

Manner of sale
of same.Disposition of
proceeds of such
sale.Repealing
clause.

bidder, at public auction, upon such terms as the said County Commissioners may think best calculated to realize the highest price, and to make titles to the purchaser at such sale.

SEC. 6. That the proceeds of said sale be paid into the County Treasury, and applied to the defraying of the expenses of said election and removal, if a removal be determined upon; and should a balance be left, after such payments, the same shall remain in the County Treasury for the use of said County.

SEC. 7. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 12, 1873.

NO. 260. AN ACT TO INCORPORATE THE CHARLESTON COASTWISE TRANSPORTATION COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin F. Simmons, John C. Mallonee, Edwin Welling and Reuben R. Hudgins, their associates, successors and assigns, and such other persons, who may be hereafter associated with them, be, and they are hereby, created a body politic and corporate, by the name and style of The Charleston Coastwise Transportation Company, for the purpose of transporting, by sail vessels, produce, goods, wares, merchandize and general freight between Charleston, in the State of South Carolina, and any other port or ports on the Atlantic Seaboard, or in the West Indies.

SEC. 2. That the capital stock of this company shall be fifty thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing said capital stock to five hundred thousand dollars, or any less sum at discretion; and the said corporation is authorized to commence business as soon as the sum of twenty thousand dollars shall have been subscribed.

SEC. 3. That the said Benjamin F. Simmons, John C. Mallonee, Edwin Welling and Reuben R. Hudgins, be, and they are hereby, created Directors of said company, with the power of appointing or electing officers until an election for such officers can conveniently take place under this charter: *Provided*, Such election be held within six months from the day upon which said company shall commence business. And they, the said before named persons, are hereby authorized to take up, by subscription, payable in such in-

installments as they may deem proper, either the whole of said capital stock, or so much thereof as they shall consider requisite. Should the installments due by any subscriber or subscribers not be paid in, when called for, their shares shall be sold at public auction, and the installments due thereon shall be paid from the proceeds of said sale, and the balance, if any remain, shall be paid over to such delinquent subscriber or subscribers.

A. D. 1873.

Shares, when
may be sold.

SEC. 4. That said Company shall be under the management of a Board of five Directors, who shall choose from among themselves a President; which said Board of Directors shall be annually elected from among the stockholders.

Officers of com-
pany.

SEC. 5. That said company shall have such other officers and agents as the rules and by-laws, which they are hereby authorized to make, shall require; that the said company may have and keep a common seal, and alter the same at will; may sue and be sued, plead and be impleaded, in any Court in this State; and shall have and enjoy any and every right and privilege belonging to corporate bodies, according to the laws of this State.

General powers.

SEC. 6. That each stockholder shall be entitled to as many votes as he shall have shares: *Provided*, That when stock stands in more than one name, or belongs to a copartnership or company, each such share shall be entitled to only one vote. Stockholders absent from any meetings shall be entitled to vote by proxy, and a majority of the shares issued shall be represented at every meeting, in order to constitute a quorum.

Manner of vot-
ing.

Proxies.

SEC. 7. That the said company shall be able and competent, in law and equity, to have, hold and enjoy all such real and personal property as they shall deem proper in any way to acquire, or which may be connected with or in any manner conducive to the purposes for which the said corporation is established: *Provided*, The amount of property, real or personal, so held, shall not exceed the amount of the capital stock of said corporation. In case it shall at any time be determined to increase the capital stock from the amount to be subscribed in the first instance, the original subscribers shall first have the privilege of subscribing before the subscription is opened to the public: *Provided, further*, That the stockholders of the said company shall be liable to the amount of their respective share or shares of stock in said company, for all its debts and liabilities upon note or otherwise. The books and accounts of said company shall be open to inspection, under such regulations as may be prescribed by law.

May acquire
or dispose of
property.

Provide.

Privilege of
original subscri-
bers in certain
cases.Liability of
stockholders.Books to be
open to inspec-
tion.

SEC. 8. That this Act shall be and continue of force until repealed.

Approved February 13, 1873.

A. D. 1873.

No. 261.

AN ACT TO INCORPORATE THE AIKEN REAL ESTATE AND BUILDING ASSOCIATION, OF AIKEN, S. C.

- SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Lee, C. D. Hayne and J. S. Shuck, together with other parties, who now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and selling real estate in the County of Aiken, or any other County in the State that may be deemed necessary for the benefit of the corporation; may make loans of money, secured by mortgages of real estate and the hypothecation of bonds, stocks and other choses and personal property, to its members and stockholders and others, by the name and style of the Aiken Real Estate and Building Association; the capital stock of said Association to consist of not less than one hundred, nor more than three thousand shares, said shares to be of the value of one hundred dollars each, and as soon as one hundred shares shall have been subscribed the said Association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, until the amount herein specified per share shall have been paid in; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the said Association may prescribe.
- SEC. 2. That the said Association shall have such number and succession of officers as shall be ordained according to the rules and by-laws made or to be made by them for their government; shall have power, at all times, to make such rules and regulations as are not repugnant to the laws of the land; to have and keep a common seal, to alter the same at will, to sue and be sued, plead and be impleaded, in any Court of Law or Equity in the State; and shall have and enjoy every right and privilege incident to and belonging to corporate bodies according to the laws of the land.
- SEC. 3. That the funds of the said Association shall be invested either in the purchase of real estate in the County of Aiken, or any other County in the State of South Carolina, which shall be rented out, or leased, or sold and conveyed to the members and stockholders of said Association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out and advanced to the members and stockholders thereof upon the security and hypothecation of real estate in the State of South Carolina aforesaid, or bonds, stocks, choses in action, or personal *pro-

perty, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid; and it shall and may be lawful for the said Association to enjoy and hold, for the mutual benefit of its members and stockholders, all such lands, tenements, hereditaments and appurtenances, as may be *bona fide* purchased by and conveyed to it, or as may be mortgaged to it by way of security upon its loans and advances, or as may be bought by or transferred and conveyed to it at sales under judgments or decrees at law or equity, for securing and recovering, or in compromise settlement of any debt or debts due to it, and to sell, alien, barter, exchange, convey, mortgage, or otherwise dispose of the same, from time to time, and whenever deemed necessary and expedient. The stockholders in this Association shall be severally liable for all debts and obligations created or contracted by the Association to an amount double the amount of their stock.

A. D. 1873.

Liability of
stockholders.

SEC. 4. That whenever any of the funds of the Association shall remain uninvested or uncalled for, for the space of three months, by its own members and stockholders, it shall be lawful for said Association to lend out what moneys may be on hand to others than stockholders, at such rates of interest as may be agreed upon.

When may
loan out moneys
on hand.

SEC. 5. That whenever the funds and assets of the said Association shall have accumulated to such an amount that, upon a fair division thereof, each stockholder for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof, in property or assets, and such division and distribution shall have been made, then the said Association shall cease and determine: *Provided, however,* That in case the said Association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall continue in force for the period of fourteen years.

Division and
distribution of
assets.

Proviso.

SEC. 6. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded, and shall continue of force until repealed.

Approved February 14, 1873.

AN ACT TO INCORPORATE THE RANDOLPH ENTERPRISE ASSOCIATION. No. 262.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. B. Artson, T. E. Dixon, W. H. Robertson, H. L. Bell, H. B. Norris, David

Corporators.

A. D. 1873.	Smith, Thomas Winthrop, J. T. Gibbes, J. S. Humlert, of the city of Charleston, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Randolph Enterprise Association.
Corporate name.	<p>SEC. 2. That the said corporation, hereby created and established, shall have succession of officers and members, according to its by-laws, and shall have power to make such by-laws, not repugnant to the laws of the land; and to have, use, and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded in any Court in this State; and to have and enjoy all such property, real and personal, as may be given, bequeathed or devised to it, or may be in any manner whatsoever acquired by the said corporation: <i>Provided</i>, The amount so held shall not exceed the sum of twenty-five thousand (25,000) dollars.</p> <p>SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property, or by surety, in such sums and on such terms and conditions as they may deem proper; and it shall be lawful for the said corporation, from time to time, and at all times, to sell, convey, mortgage, assign, or transfer all of its property, real and personal, as, and when it may be deemed proper and expedient, and to make and execute bonds under their corporate seal, with or without mortgage, for the purchase of real or personal property.</p> <p>SEC. 4. That this Act shall continue in force until repealed, and the same shall be taken and deemed a public Act, and may be given in evidence without being specially pleaded.</p>
Powers and privileges.	
Proviso.	
Investment of funds.	
Approved February 14, 1873.	

No. 263. AN ACT TO INCORPORATE THE FLORENCE EDUCATIONAL ASSOCIATION, OF FLORENCE, SOUTH CAROLINA.

Corporators.	<p>SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Brown, M. Waring, D. W. Haines, James Allen, S. A. Robertson, C. Frank, and such other persons as may now or hereafter shall be associated with them, be, and they are hereby, declared a body politic and corporate, by the name and style of the Florence Educational Association, of Florence, South Carolina, and by the said name shall have perpetual succession of officers and members, and</p>
Corporate name.	

a common seal, with power to change, alter and make new the same as often as the said corporation may judge expedient.

A. D. 1873.

Powers and
privileges.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any lands, tenements or hereditaments, or other property of what nature soever, not exceeding the sum of twenty thousand dollars, or to sell or alien the same as the said corporation may think fit; and by its said name to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as for the order, good government and management thereof may be thought necessary and expedient.

SEC. 3. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 14, 1873.

AN ACT TO INCORPORATE THE PHOENIX HOOK AND LADDER TRUCK COMPANY, No. 1, OF CAMDEN. No. 264.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. A. Moore, Samuel Place, W. F. Reed, A. C. Douglass, D. C. DeSausure, their associates and successors in office, be, and they are hereby, constituted a body politic, under the name and style of the "Phoenix Hook and Ladder Truck Company, No. 1, of Camden," with a capital stock not exceeding ten thousand (10,000) dollars, with the right to sue and be sued, to plead and be impleaded in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will; and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

Corporators.

Corporate name.

Powers and
privileges.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved February 14, 1873.

A. D. 1873.

No. 265.

AN ACT TO INCORPORATE THE GRANT AND WILSON NATIONAL GUARDS, OF GREENLAND, S. C.

Corporators.

Corporate name.

Powers and privileges.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Gloster Holland, Daniel Rouse, Hammond Rouse, David Cherry, Peter Cherry, Emanuel Whitley, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby, declared to be a body politic and corporate, by the name and style of the Grant and Wilson National Guards, of Greenland, and that they, the said corporation, may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered in law to purchase, have, hold, enjoy and possess, any goods, chattels, lands, tenements or real estates of whatever kind and nature soever, and the same, and any part thereof, to sell, alien or convey, at their will and pleasure: *Provided, however,* That the property so held shall not exceed the annual value of twenty thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 14, 1873.

No. 266. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN FIRE ENGINE COMPANIES, OF CHARLESTON, S. C.," APPROVED FEBRUARY 24, 1869.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate certain Fire Engine Companies, of Charleston, S. C.," approved February 24, 1869, be, and the same is hereby, amended as follows:

SEC. 2. Strike out the word "Star," wherever it occurs in the Act, and insert "Steam."

"Steam" inserted in lieu of "Star."

Approved February 14, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT,
RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND
VILLAGES THEREIN MENTIONED."

A. D. 1873.
No. 267.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," be, and the same is hereby, amended by striking out, on the 5th line, the words "fourth Monday in March, 1871," and insert the words "on the fourth Monday of April, 1873."

"Fourth Monday in April, 1873," in lieu of "fourth Monday in March, 1871."

Approved February 14, 1873.

AN ACT TO INCORPORATE THE DRAYMEN'S BENEVOLENT ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA. No. 268.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. L. Turpin, H. Stewart McNeil, H. Bolden Pickenpack, Charles H. Bryan, James Ferguson, William H. Jenkins, William Wilkinson, and their successors in office, be, and they are hereby, incorporated by the name of "The Draymen's Benevolent Association, of Charleston;" and by that name shall have capacity to sue and be sued, plead and be impleaded, in any and all the Courts of this State; to contract and be contracted with; to have a common seal, and to alter the same at pleasure.

Corporators.

Corporate name.

SEC. 2. That the said Draymen's Benevolent Association shall, through its four principal officers, make, ordain and establish its constitution, by-laws, rules and regulations not inconsistent with the Constitution or laws of this State or the United States; and may acquire, hold and enjoy so much real estate as may be necessary for the erection of proper buildings, and rent out the same, and collect the rent, and hold or loan out the same, as the by-laws may direct.

Powers and privileges.

SEC. 3. That the said Draymen's Benevolent Association shall have power to collect its revenue, and to apply the same for the purpose of aiding in benevolent enterprises, or for the purpose of accumulation: *Provided*, That the funds in money or choses in action shall not exceed, in available assets, the sum of twenty-five thousand dollars at any one time, and shall not be loaned upon

May collect revenue.

A. D. 1873.

Contracts heretofore made validated.

What necessary to complete organization.

Principal officers a body corporate.

usurious interest, nor shall the funds, or accretions thereof, be used otherwise than for the payment of the expenses of the said Draymen's Benevolent Association for charitable purposes.

SEC. 4. That all contracts made, or obligations assumed heretofore, which are not inconsistent with the laws of the land, by said Draymen's Benevolent Association, be, and the same are hereby, made valid and binding upon said Draymen's Benevolent Association, as organized under this charter; and the acceptance of this charter by a resolution of said Draymen's Benevolent Association, shall be all that is required to complete its organization under the same.

SEC. 5. That the five principal officers named in Section 1, and their successors in office, be, and the same are hereby, created a body politic and corporate, so far as to enable them to receive, hold and enjoy, possess and retain property, both real and personal, not exceeding in value the sum of twenty-five thousand dollars, and to sell, alien or loan the same in any manner deemed advisable.

SEC. 6. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 14, 1873.

No. 269. AN ACT TO INCORPORATE THE REFULGENT SOCIETY, OF THE CITY OF COLUMBIA.

Corporators.

Corporate name.

Powers and privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. W. Curtis, Adam Sightler, L. L. Brown and Benjamin Sightler, and their successors, officers and members, be, and they are hereby, declared to be a body politic and corporate, under the name and style of the Refulgent Society, of the city of Columbia.

SEC. 2. That the said corporation shall have a common seal, and shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of five thousand dollars, and to sell, convey and dispose of the same, and by its corporate name may sue and be sued in any Court in this State, and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 14, 1873.

AN ACT TO INCORPORATE THE GEORGETOWN CYPRESS COMPANY.

A. D. 1873.

No. 270.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James P. Guignard, John W. Parker, F. W. Wing, John H. Kinard, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the Georgetown Cypress Company, for the purpose of manufacturing shingles, staves and other articles from cypress, pine or other wood, and for the purpose of carrying on such other business as may be connected therewith, with such capital as may be subscribed, not exceeding sixty thousand dollars.

Corporators.

Corporate name.

Objects of corporation.

SEC. 2. The said company shall have succession of officers and members, to be chosen according to the rules and by-laws made and to be made for their government and direction, and shall have power and authority to make by-laws, not repugnant to the laws of the land; to make, have and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded in any Court of this State; to purchase and hold any lands, tenements or hereditaments, goods and chattels, which may be necessary, connected with or conducive to the purposes for which said company is established, and to sell or mortgage the same.

General powers.

SEC. 3. That said corporation shall not go into operation until ten thousand dollars of the capital stock shall be paid in. The personal liability of the stockholders for the debts or liabilities of said corporation shall be limited to the amount of stock subscribed by them.

When may go into operation.

Personal liability of stockholders.

SEC. 4. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 14, 1873.

AN ACT TO AMEND SECTIONS 98, 99 AND 100, CHAPTER XVII,
OF THE GENERAL STATUTES OF SOUTH CAROLINA RELATING TO
HOLDERS OF INSURANCE POLICIES.

No. 271.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 98, of Chapter XVII, of the General Statutes, be amended, in the fifth line of said Section, after the words "bonds or stocks of this State," by inserting the words "or of the United States;" also, at the close

"Or of the
United States"
inserted in fifth
line.

A. D. 1873.

Comptroller
General to sell
Bonds of insol-
vent Insurance
Companies, and
re-insure policy
holders in sol-
vent Companies.

of the said Section, insert the following proviso: "*Provided, however, That it shall be the duty, and it is hereby required of the Comptroller General, upon notice being served upon him by the agent of any said company or association, accompanied by proof sufficient to establish the fact of the insolvency of such company or association so depositing, to dispose of, at public outcry, to the highest bidder, after twenty-one days' notice of said sale, notice to be given by publishing in one of the daily papers in the city of Columbia, and in one daily paper in the city of Charleston, so much or so great an amount of such bonds or stocks so deposited as will enable him to re-insure the policy holders of such insolvent company or association, in such proper and solvent insurance company or association as any policy holder in said insolvent company or association may desire, or elect, for the balance of the unexpired term of such insurance previously taken by him in said insolvent company or association.*"

"Or of the
United States,"
inserted in third
line.

SEC. 2. That Section 99, of Chapter XVII, of the General Statutes, be amended, by inserting after the word "State," in the third line of said Section, the words "or of the United States."

"Or of the
United States,"
inserted in 11th
line.

SEC. 3. That Section 100, of Chapter XVII, of the General Statutes, be amended, by inserting after the word "State," in the eleventh line, the words "or of the United States."

Approved, February 20, 1873.

No. 272. AN ACT TO AUTHORIZE COUNTY COMMISSIONERS OF CERTAIN COUNTIES TO LEVY AND COLLECT AN ADDITIONAL TAX FOR CERTAIN PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the several Counties herein mentioned be, and they are hereby, authorized and directed to levy and collect a special tax as hereinafter specified, on the taxable property of the said Counties, said tax to be levied at the same time other taxes are levied for the fiscal year commencing November 1, 1873; said tax to be devoted exclusively to the payment of the past due indebtedness of the said Counties, viz: For the County of Marion, three (3) mills; for the County of Orangeburg, three (3) mills; for the County of Richland, one and one-half (1½) mills; for the County of Lancaster, two (2) mills; for the County of Newberry,

Special taxes
for past indebt-
edness in certain
Counties.

Marion, 3 mills.
Orangeburg, 3
mills.
Richland, 1½
mills.
Lancaster, 2
mills.
Newberry, 2
mills.

two (2) mills. *Provided*, That all claims for the payment of which the special tax herein authorized is levied, shall be registered in the office of the Clerk of the Court of the County in which such tax is ordered, on or before the first day of October, 1873, and all claims of claimants failing to register the same, within the said time, shall not be paid.

A. D. 1873.

Proviso.

SEC. 2. That the County Commissioners of Horry County be, and they are hereby, authorized to levy and cause to be collected, a special tax of two (2) mills upon a dollar of all the taxable property in said County, the said tax to be devoted exclusively to repairing the bridges in said County, across Kingston Lake and Socastee Creek, and to the payment of the past indebtedness of the County.

Horry, 2 mills
for repairing
bridges.

SEC. 3. That the County Commissioners of the County of Williamsburg be, and they are hereby, authorized to levy and cause to be collected, a special tax of two (2) mills on a dollar of all the taxable property of the said County; said tax to be levied at the same time other taxes are levied for the fiscal year commencing November 1, 1873, the same to be used exclusively for the purpose of paying the indebtedness caused by the building of the jail in the said County.

Williamsburg,
2 mills, to pay
indebtedness for
building jail.

Approved February 20, 1873.

AN ACT TO INCORPORATE THE STATE AUXILIARY JOINT STOCK COMPANY. No. 273.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robert C. Shiver, John B. Palmer, William C. Swaffield, John B. Bascomb, A. P. Ford, and such other persons as they may associate with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "State Auxiliary Joint Stock Company."

Corporators.

Corporate name.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such numbers and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made, or to be made by them; shall sue and be sued, plead and be impleaded, in any Court of law or equity in this State, and shall have

General powers.

A. D. 1873.

Objects of corporation.

and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land ; and to use any means they may think proper to develop and promote the agricultural, mechanical, manufacturing and mineral resources of the State, for the promotion of immigration, the elevation of labor and laboring people, the encouragement of stock raising, and the temperate advancement and cultivation of turf and field sports.

May acquire and alien property.

SEC. 3. That the said corporation be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements, and property of all kinds, real, personal or mixed, and the same, or any part thereof, to sell, alien or convey, at their will and pleasure.

Capital stock.

SEC. 4. That the capital stock of the said company shall be ten thousand dollars (\$10,000) with the privilege of increasing the same to two hundred thousand dollars (\$200,000.)

Value of shares. Manner of voting.

SEC. 5. Each share of stock shall be ten dollars, and the stockholders shall vote at all meetings in proportion to the number of their shares.

First meeting, and election of officers.

SEC. 6. That as soon as ten thousand dollars have been paid in by the corporators and their associates under this Act, a meeting shall be held, at which meeting ten Directors shall be elected, which said Directors shall elect from their own number a President and Secretary, and any other officers they may deem necessary for effecting the objects of the said corporation ; and upon the certificate of the said President and Secretary to the Secretary of the State that ten thousand dollars have been paid in, the said corporation shall go into operation with the Board of Directors thus elected.

When certificate is filed with Secretary of State that ten thousand dollars are paid in, corporation to go into operation.

Company to receive from State Treasury, bonus equal to State tax.

SEC. 7. That the said company shall receive from the Treasury of the State, on the first day of January, in each year, a bonus equal to the State tax assessed upon the necessary buildings, and improvements to be erected on the lands now owned or hereafter to be purchased by said corporation ; such bonus to be continued for five years after the passage of this Act.

SEC. 8. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 20, 1873.

No. 274. AN ACT TO INCORPORATE THE SPARTANBURG AND ASHEVILLE RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thos. B.

Jeter, A. W. Thompson, J. T. Hill, G. Cannon, D. R. Duncan, Simpson Bobo, John H. Evans, Dr. R. E. Cleveland, B. H. Rice, W. H. Wallace, Wm. Munro, Albert G. Means, Dr. J. Winsmith, R. M. Smith, J. G. Landrum and Alfred Tolleson, and such other persons and corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the Spartanburg and Asheville Railroad Company; and by that name may sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law and equity in this State or the United States; may make by-laws, and appoint all necessary officers and prescribe their duties, and may accept, purchase, hold and convey any property, either real or personal, necessary for the purposes hereinafter mentioned; may make contracts, have and use a common seal, and do all other lawful acts properly incident to, and connected with, said corporation, and necessary for the control and transaction of its business: *Provided*, That the by-laws be not repugnant to the Constitution and laws of this State or of the United States.

SEC. 2. That, for the organization of said company, the persons hereinbefore named, or a majority of them, shall have the power to appoint the time and place at which subscriptions for stock may be taken in said company, and appoint all necessary commissioners and agents to superintend the same; and every person, corporation, company or body politic, subscribing at any such time or places, or at any time or place afterwards, under the direction of a majority of said corporators or directors, hereinafter named, shall be stockholders in said company, and shall pay in the stock, so subscribed for, at such times and in such amounts, as the by-laws and regulations of said company may require; and said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for the meeting of said stockholders, of which they shall give thirty days' notice in such public papers of this State as they may deem necessary, at which time and place, or at any other time or place of which notice may be given as aforesaid, said stockholders may proceed to the organization of said company by the election of a President and twelve Directors, who shall constitute the first Board of Directors; and said President and Directors shall hold their offices for one year, and until their successors are elected; and may prescribe, in their by-laws, the time and manner of holding their subsequent annual elections for President and Directors; and, in all cases, the stockholders shall have a right to vote by proxy or in person, and said stockholders shall be entitled to one vote for each share he, she or they may have, hold in his, her, or their own right, or as trustee for another,

A. D. 1873.

Corporators.

Corporate name.

General powers.

Proviso.

Books of subscription.

Who shall be stockholders.

Meeting for organization.

Election of Officers.

Proxies.

A. D. 1873.

Vacancies —
how filled.

Quorum.

for three months next preceding said election. Said Board shall have power to fill all vacancies which may occur in their own body, until the regular annual election by the stockholders, and shall fix the compensation of the President. Seven Directors shall constitute a quorum for the transaction of business, of which the President shall be one, except in case of sickness or absence, when his place may be filled by one of the Directors present, to be elected President *pro tem.* by a majority of the Board present.

Amount of
capital stock.

SEC. 3. That the capital stock of said company shall be one million dollars, which may be increased to an amount not exceeding the cost of construction and outfit of the said road, to be divided into shares of fifty dollars each, and said shares shall be transferable on the books of the company in such manner as may be prescribed by the Board of Directors; and no stockholder indebted to said company shall transfer his or their stock without the consent of the Board of Directors.

Invested with
privileges granted
to Greenville
& Col. R. R.

Proviso.

SEC. 4. That said company shall have full power and authority to survey, lay out and construct a railroad from the town of Spartanburg, or from some point on some railroad in the vicinity of said town, and connecting therewith, to the North Carolina line, in the direction of Asheville or Rutherfordton, North Carolina, and the same to equip, use and enjoy, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company, and under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing herein contained shall be so construed as to exempt the said company from the provisions of Section 1, Chapter LXIII, of General Statutes: *Provided, further*, That nothing herein contained shall be so construed as to exempt said company from the payment of taxes.

Manner of ob-
taining right of
way.

SEC. 5. That all questions affecting the right of way between the said company and the owners of any lands over which the said railroad may be located, when the parties cannot agree concerning the same, shall be adjusted and determined in the same manner as provided for in an Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement, approved September 22, A. D. 1868.

Subscriptions,
in what receive-
able.

SEC. 6. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers; and may acquire, by grant, purchase, lease, or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same

as the interest of said company requires: *Provided*, That the work for the execution whereof said company is incorporated shall be commenced within two years after the first day of January next, and be completed within five years after its commencement.

A. D. 1873.

PROVISO.

SEC. 7. That nothing herein contained shall be so construed as to bind the State to subscribe stock in said company, or make any appropriation to enable the said company to build said road, or in any manner to loan the credit of the State thereto.

Road to be
built without
aid from the
State.

SEC. 8. That when one hundred thousand dollars shall have been subscribed, and one dollar on each share shall have been paid in, the said company may organize and proceed to work. It is further provided that said company may extend their road to the city of Columbia, or may unite and consolidate with any other railroads leading to said city.

When may or-
ganize and go to
work.

May extend
road to Colum-
bia, or unite with
road leading
thereto.

SEC. 9. This Act shall be deemed a public Act, and shall have corporate existence for the term of thirty years.

Approved February 20, 1873.

AN ACT TO RENEW THE CHARTER OF RAVENEL'S BRIDGE, No. 275.
ACROSS THE SENECA RIVER, IN OCONEE COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to H. E. Ravenel, to erect a toll bridge across the Seneca River, at or near Sloan's Old Ferry, in Oconee County, be, and the same is hereby, renewed, with the same rates of toll heretofore allowed by law; and that all the rights, privileges and franchises incident thereto, be, and the same are hereby, vested in Mrs. H. E. Ravenel, her heirs and assigns, for a period of fourteen years, from and after the expiration of the said charter: *Provided*, That nothing herein contained shall be so construed as to prevent the construction of public bridges, or the construction and chartering of other bridges and ferries by other persons across the said river: *Provided, further*, That all school teachers and scholars going to and from school, all qualified voters going to and from the polls on election day, and all ministers of the Gospel, shall be allowed to pass over said bridge free of charge.

Charter re-
newed.

Vested in Mrs.
H. E. Ravenel.

Proviso.

Exemptions.

Approved February 20, 1873.

A. D. 1873.

No. 276.

AN ACT TO AMEND CHAPTER CXX OF THE GENERAL STATUTES
OF THE STATE.

"Ninety" in-
serted in lieu of
"thirty."

"Six months"
in lieu of "nine-
ty days."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter CXX of the General Statutes of the State be amended as follows: Strike out the word "thirty," wherever it occurs in Section 11, and insert the word "ninety;" strike out the words "ninety days," in Section 13, and insert "six months."

Approved February 20, 1873.

No. 277. AN ACT TO INCORPORATE THE CONGRUITY CHURCH, CONCORD
TOWNSHIP, SUMTER COUNTY, S. C.

Corporators.

Corporate name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the corporation known as the Congruity Church, Concord Township, Sumter, S. C., together with the officers and members of said corporation, be, and are hereby, declared to be a body corporate and politic, by the name and style of the Congruity Church, and as such shall have power to adopt such constitution, and to make such by-laws as may be necessary for the government of the same, and not repugnant to the laws of the land, and shall have such council, trustees, elders and deacons, their successors in office, as they may select; to sue and be sued, plead and be impleaded, by their corporate title, in any Court of law or equity in this State; to have and use a corporate seal; to have and enjoy every right, power and privilege incident to such corporation; and the said corporation is empowered to hold, retain, possess and enjoy all such property, real and personal, as the corporation may hereafter possess, or be entitled to, or which shall hereafter be given, bequeathed or devised to, or in any manner acquired; and to sell and transfer the same, or any part thereof; and enjoy and exercise all rights, powers and privileges as are incident to such corporations.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 20, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE, S. C."

A. D. 1873.

No. 278.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Lewisville, S. C.," passed February 28th, 1872, be amended by striking out the words "three-fourths" wherever the same occur in the Act, and insert the words "one-third."

"One-third"
inserted in lieu
of "three-
fourths."

Approved February 20, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO VEST IN THE CHARLESTON LAND COMPANY THE CHARTER OF A FERRY FROM HAMLIN'S WHARF, IN THE CITY OF CHARLESTON, TO THE FOLLOWING POINTS ON THE WANDO RIVER, TO WIT: SCANLONVILLE, REMLEY'S POINT, VENNING'S LANDING AND DANIEL'S ISLAND LANDING."

No. 279.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the second Section of an Act entitled "An Act to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the city of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing, and Daniel's Island Landing," approved March 2, 1872, be, and is hereby, amended by striking out the following words in the proviso, to wit: "Within two years after the passage of this Act;" and inserting instead, the following words, to wit: "On the first day of March, in the year eighteen hundred and seventy-four."

"1st March,
1874," inserted
in lieu of "two
years."

Approved February 20, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE MECHANICS' AND FARMERS' BUILDING AND LOAN ASSOCIATION, OF RICHLAND COUNTY, SOUTH CAROLINA."

No. 280.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Mechanics' and Farm-

A. D. 1873.

"Not exceed four" inserted in lieu of "consist of two."

May issue certificates of deposit.

Proviso.

ers' Building and Loan Association of Richland County, South Carolina," approved February 15, 1872, be amended as follows: Strike out in 14th line, "consist of two," and insert "not exceed four," and in line 16, after the word "continue," insert "said corporation may issue to its members certificates of deposit or vouchers in acknowledgment of money received in such form as may be agreed upon and accepted by said members;" and at the close of the Section insert: "*Provided*, That this Association shall not organize or commence its operations until at least five hundred shares have been subscribed."

Approved February 20, 1873.

No. 281. AN ACT FOR THE BETTER PROTECTION OF RELIGIOUS WORSHIP.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any person shall, willfully and maliciously, disturb or interrupt any meeting, society, assembly or congregation, convened for the purpose of religious worship, or shall enter such meeting, while in a state of intoxication, or shall use or sell spirituous liquors, or use blasphemous language at or near the place of meeting, such person shall be deemed guilty of a misdemeanor, and shall, on conviction, be sentenced to pay a fine of not less than twenty, or more than one hundred dollars, or be imprisoned for a term not exceeding one year, or less than thirty days, or both, or either, at the discretion of the Court.

Approved February 20, 1873.

No. 282. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD FROM WILLIAM HUNTER'S TO R. H. McCASLAN'S, IN SAID COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Abbeville County be, and are hereby, empowered and required to open, establish and keep in repair a public road commencing at William Hunter's, and running by Bradley's Mill, ending at R. H. McCaslan's.

Road to be opened from Hunter's to McCaslan's.

Approved February 20, 1873.

AN ACT TO RENEW THE CHARTER OF KNOX'S BRIDGE, OVER
THE TUGALOO RIVER.

A. D. 1873.

No. 283.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to Samuel Knox, to erect a toll bridge across the Tugaloo River, at a point near his residence, be, and the same is hereby, renewed, with the same rates of toll heretofore allowed by law; and all rights, privileges and franchises incident to said charter, are vested in William Knox, his heirs and assigns, for a period of fourteen years from and after the passage of this Act.

Knox's Bridge
re-chartered.Vested in Wm.
Knox.

Approved February 20, 1873.

AN ACT TO REGULATE THE SERVICE OF PROCESS ISSUING FROM
THE SUPREME COURT.

No. 284.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Supreme Court of this State be, and is hereby, empowered to require the Sheriff of each and every County in this State, to whom any order or process issuing from said Court may be directed, to serve and execute the same; and shall have the same power to enforce such service and execution, and to punish default therein, as is now vested in the Circuit Courts in process issuing therefrom.

Supreme Court
may require
Sheriffs to serve
process.Empowered to
enforce service.

Approved February 20, 1873.

AN ACT CONCERNING SCHOOL FUNDS.

No. 285.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the General Assembly shall levy, at each regular session thereof, an annual special tax, to be known and designated as the "school tax," on all taxable property throughout the State, for the support and maintenance of Free Common Schools, which tax shall be collected at the same time, and in the same manner, and by the same agents, as

School Tax;
when and by
whom collected.

A. D. 1873.

the general State tax, and which tax shall be paid into the Treasury of the State.

Division of
School Fund a
misdemeanor.

SEC. 2. That it be declared a misdemeanor, on the part of the State Treasurer, to apply or appropriate any funds or moneys derived from, or collected or received on account of, said school tax, for any purpose or purposes whatever, except that of Free Common Schools; and, on conviction thereof, he shall pay a fine of not less than five thousand dollars (\$5,000,) the same to be used for school purposes, and shall be imprisoned at the discretion of the Court.

Treasurer to
furnish certified
statements of
moneys received
on account of
School Tax.

SEC. 3. That the State Treasurer shall furnish to the State Superintendent of Education, annually, on or before the first Tuesday of March, of each year, except the present year, which shall be the first day of April, a certified statement, showing the amount of moneys collected or received by him on account of said school tax.

Apportionment
of School Funds.

SEC. 4. That it shall be the duty of the State Superintendent of Education to apportion, as the law specifies, the Free Common School funds of the State among the several Counties thereof.

SEC. 5. That it shall be the duty of each County School Commissioner to apportion, according to law, the Free Common School funds of his County among the several school districts thereof: *Provided*, That any School District believing itself wronged by such apportionment may appeal to the State Superintendent of Education, whose decision shall be final.

County Treasurers to report
monthly collections and disbursements of
School Funds.

SEC. 6. That it shall be the duty of each County Treasurer to report, monthly, on the fifteenth day of each month, to the County School Commissioner of his County, the amount of collections and disbursements made by him for the month on account of poll tax and all other school funds; and it shall be a misdemeanor, on the part of any County Treasurer, to neglect, fail or refuse to make such report; and, on conviction thereof, he shall pay a fine of not less than five hundred dollars (\$500.00,) the same to be used for school purposes in his County.

School Funds,
on whose orders
disbursed.

SEC. 7. That all moneys disbursed by any County Treasurer, on account of school funds, or taxes, or poll tax, shall be paid on the orders of Boards of School Trustees, countersigned by the County School Commissioner: *Provided*, That accounts or claims of School Trustees, for enumerating school children, shall be paid on the orders of the County School Commissioner.

Proviso.

County Treasurer to report to
Superintendent of Education
poll tax collected.

SEC. 8. That each County Treasurer shall make out and forward to the State Superintendent of Education, annually, on the first day of November, a certified statement showing, by school districts, the

amount of poll tax and the amount of local or school district taxes collected by him for the fiscal year ending on the 31st of October next preceding; and should any County Treasurer fail, neglect or refuse to make and forward the statement as herein required, the State Superintendent of Education shall make out a written complaint to the Circuit Solicitor for the County in which the said Treasurer resides, who shall prosecute the said County Treasurer for the same, and on conviction thereof he shall be subject to a fine of five hundred dollars (\$500.00,) the same to be used for Free Common School purposes in his County.

A. D. 1873.

Penalty for
neglect or refusal.

Approved February 20, 1873.

AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF CHARLESTON. No. 286.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, five Trial Justices for the city of Charleston, and no more, to hold their offices for the term of two years, unless sooner removed, according to law: *Provided*, That during the recess of the Senate the Governor may appoint either one or all of said Trial Justices, to hold their offices, unless removed by him, till the end of the next session of the Legislature, when the appointment shall cease, unless confirmed by the Senate. If a vacancy occurs during the session of the Legislature it shall be filled only by the advice and consent of the Senate.

Trial Justices;
number, term of
office.

Proviso.

Vacancies, how
filled.

SEC. 2. That the Trial Justices appointed for the city of Charleston shall reside in said city and keep their offices there, which shall be open, from day to day, for the transaction of business: "*Provided*, That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: Two for Wards 1 and 2, one for Wards 3 and 4, one for Wards 5 and 6, one for Wards 7 and 8; and shall have their offices located in a central location, convenient to the people of the Wards for which they are appointed."

To reside in
town: offices to
be open daily.

Where located.

SEC. 3. That instead of the fees heretofore allowed by law, for the Trial Justices in the city of Charleston, they shall each be allowed a salary of twelve hundred dollars per annum, payable quarterly, on the first days of January, April, July and October, by the

Salary, amount,
and when and
where payable.

A. D. 1873.
Disposition of fees.
Monthly report.
 County Treasurer for Charleston County, out of the County funds, and that all fees taxed and recovered, in criminal causes in the Courts of said Trial Justices, shall be forthwith turned over to the County Treasurer for the County of Charleston, and the said Trial Justices shall make to the Judge of the First Circuit a monthly report of all fees, fines and costs recovered or collected by them during the said month."

Appointments heretofore made, when to cease.
Constables, number of; salary.
 SEC. 4. All the appointments of Trial Justices, resident within the city of Charleston, heretofore made, shall cease and determine on and after the first day of April next, and the Trial Justices provided for in this Act shall enter upon their duties upon that day.

SEC. 5. That the Trial Justices appointed for the city of Charleston may each appoint two Constables, and no more, to serve the processes of their respective Courts, removable at pleasure; the Constables so appointed shall receive a salary of five hundred dollars per annum, to be paid at the times provided for in Section 3 of this Act.

Penalty for neglect of duty, oppression, &c.
 SEC. 6. That if either of the Trial Justices appointed for the city of Charleston shall neglect to attend to the duties of their offices, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction, shall be liable to imprisonment for two years or a fine of one thousand dollars, or both, within the discretion of the Court, and shall be removed from office.

Bond, amount of and by whom approved.
 SEC. 7. The Trial Justices so appointed shall give a bond of twenty-five hundred dollars for the faithful performance of their duties, the bond to be approved by the Judge of the First Circuit.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 21, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved by him or returned to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
 Secretary of State.

AN ACT TO ENFORCE THE PAYMENT OF THE POLL TAX.

A. D. 1873.

No. 287.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be assessed on all taxable polls in the State an annual tax of one dollar on each poll, the proceeds of which shall be applied to educational purposes; and if any person shall refuse or neglect to pay said tax, before the expiration of the time fixed for the payment of all taxes, the County Treasurer shall, within twenty days thereafter, furnish a list of all delinquent polls to the County Commissioners of the County. Where the persons so taxed and delinquent have no property to be distrained for the payment of said poll tax, as authorized in the Act providing for the assessment and taxation of property, approved September 15, 1868, the person or persons so delinquent shall be subject to a penalty of double the amount of their poll tax; and on failing to pay the same, when notified of the fact, within ten days after such notice, such person or persons shall be required to work upon the highway or roads, in their respective Counties, as the County Commissioners may direct, not exceeding three days.

One dollar assessed on each poll.

Delinquents to be double taxed.

To work on the streets.

SEC. 2. That said County Commissioners shall, after receiving the delinquent poll lists, summon such delinquents to appear at their office, and then and there give them the opportunity to pay the double tax; and, on failing to do so, such delinquents shall be required to work upon the highways and roads of their respective Counties as the County Commissioners may direct; and if the said delinquents, being personally warned by the said Commissioners, or by written notice, served at their place of residence, shall refuse or neglect, having had ten days' notice, to attend by themselves, or substitutes equally able to perform said duties as themselves, or to pay the double tax in lieu of said duties, or, having attended themselves, shall refuse to conform to the requirements of this Act, or obey the directions of the County Commissioners, they shall be considered guilty of a misdemeanor, and, on conviction thereof, be imprisoned for the same, in a County jail, for a term not less than ten days.

County Commissioners to notify delinquents to work on streets.

Refusal to pay or work a misdemeanor.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., February 21, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved by him, or

A. D. 1873.

returned to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,

Secretary of State.

No. 288. AN ACT TO INCORPORATE THE COLUMBIA BAPTIST CHURCH, OF GREENVILLE COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said Society be, and the same are hereby, incorporated and made a body corporate, by the name and style of the "Columbia Baptist Church," and by that name and style shall have succession of officers and members, and shall have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and hold, any real or personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same, and to appoint agents, trustees, or other officers as its legal representatives to perform such duties as may be assigned them by said corporation, under this Act, and by its corporate name may sue and be sued, in any Court of this State, and to make such rules and by-laws, not repugnant to law, as it may deem necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 21, 1873.

No. 289. AN ACT TO INCORPORATE THE MOUNT ZION CEMETERY COMPANY, OF KINGSTREE, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wm. Scott, Frederick Pendergrass, Lewis Ward and Samuel Fulton, and their successors in office and associates, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Mount Zion Cemetery Company, of Kingtree, S. C."

SEC. 2. That the said corporation, by its corporate name aforesaid, shall have succession of officers and members, to be chosen according to the rules and by-laws, not repugnant to the laws of the land; to have and use a common seal, and the same at will to alter; to sue and be sued, plead and be impleaded, in the Courts of the State; to purchase, hold and enjoy any lands, tenements or hereditaments, goods and chattels, which may be necessary, connected with, or conducive to, the objects of said company, and the same to alien and convey at pleasure.

A. D. 1873.

Powers and
privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 21, 1873.

AN ACT TO INCORPORATE THE HUSPAH BAPTIST CHURCH, IN No. 290.
BEAUFORT COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said society be, and the same are hereby, incorporated, and declared to be a body corporate, under the name and style of the Huspah Baptist Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

Corporators.

Corporate name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued, in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 21, 1873.

AN ACT TO INCORPORATE THE CLINTON PRESBYTERIAN CHURCH, No. 291.
IN LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and

A. D. 1873.

Corporators.

Corporate name.

Powers and
privileges.

immediately after the passage of this Act Messrs. R. D. Plummey, W. B. Bell, E. T. Copeland, and all those other persons who now are, or may become, members of the said society, shall be, and the same are hereby, incorporated, and are hereby declared to be a body corporate, in deed and in law, by the name and style of the Clinton Presbyterian Church, in Laurens County, for religious, educational and charitable purposes, and by the said name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as the said corporation shall judge expedient.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself, in perpetuity, or for any term of years, any land, tenements, or hereditaments, or other property of what nature soever, not exceeding the sum of fifty thousand dollars, or to sell or alien the same as the said corporation shall think fit; and, by its said name, to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and to make such rules and by-laws, not repugnant to the laws of the land, as for the order, good government and management thereof may be thought necessary and expedient.

SEC. 3. That this Act shall be deemed a public Act, and as such shall be noticed in all the Courts in this State.

Approved February 21, 1873.

No. 292. AN ACT TO INCORPORATE THE CROSS ROADS BAPTIST CHURCH,
IN PICKENS COUNTY.

Corporators.

Corporate name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all persons who now are, or who hereafter shall or may become members of the said society, shall be, and they are hereby, incorporated, and hereby declared to be a body corporate, by the name and style of the Cross Roads Baptist Church, Pickens County, and by the said name shall have succession of officers and members, and have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of two thousand dollars, or to sell the same; and, by its corporate name, to sue and be sued in any Court of this

State, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient.

A. D. 1873.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 21, 1873.

AN ACT TO INCORPORATE THE NEW HOPE METHODIST CHURCH, No. 293.
OF CLARENDON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. Samuel Canty, Peter Johnson, Shelby Canty, Isaac Spann, Joseph Logan and Peter Taylor, and their associates and successors, are hereby made a body corporate and politic, under the name and style of the New Hope Methodist Church of Clarendon County, with all the powers and privileges vested in such like corporations by law; to sue and be sued, plead and be impleaded in their corporate capacity; to have a common seal, and alter the same at will; to enact such rules and by-laws, for the government of their body, not repugnant to the laws of the land.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 21, 1873.

AN ACT TO INCORPORATE THE NEW PROSPECT BAPTIST CHURCH AND HIGH SCHOOL, IN SPARTANBURG COUNTY, S. C. No. 294.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William F. McDowell, Jason Wall, Booker Bomar, William T. Wilkins, Henry Liles, James M. Brian, Samuel Lancaster, and Daniel Willis, Deacons of said Church, and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the New Prospect Baptist Church and High School, in Spartanburg County, and by the said

Corporators.

Corporate name.

A. D. 1873.

name may have a common seal, with power to alter the same at will.

Powers and
privileges.

SEC. 2. That said corporation shall have power to receive, purchase and hold any real or personal estate not exceeding in value the sum of twenty thousand dollars, to sell, convey and dispose of the same, or any part thereof, and by its corporate name to sue and be sued, plead and be impleaded, in any Court of law or equity of this State, and to make such rules and regulations, not repugnant to the laws of this State, as may be deemed expedient.

Selling ardent
spirits near the
school & church
prohibited.

SEC. 3. That for the peaceable and quiet exercise of the worship of Almighty God, and the protection of said High School, no person or persons shall be allowed to retail ardent spirits or intoxicating liquors, to be drank within one mile of said Church and High School, and all persons so selling shall be, and are hereby, made subject to the same pains and penalties now in force for selling liquors without a license.

SEC. 4. That this Act shall be deemed a public Act, and shall be in force until repealed.

Approved February 21, 1873.

No. 295. AN ACT TO INCORPORATE THE GREENVILLE AGRICULTURAL AND MECHANICAL ASSOCIATION OF SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Franklin Coxe, Wm. Goldsmith, W. H. Perry, R. E. Bowen, O. P. Mills, W. A. Hudson, W. T. Shumate, W. L. Mauldin, T. C. Gower, A. McBee, Sr., S. Swandale, Julius C. Smith, J. W. Cagle, M. L. Donaldson and Henry P. Hammett, and their successors in office and associates, be, and they are hereby, declared a body politic and corporate, under the name and style of the Greenville Agricultural and Mechanical Association of South Carolina, with a capital stock not to exceed twenty-five thousand dollars, in shares of twenty-five dollars each.

Corporate name.

Powers and
privileges.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure: to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution, and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members

of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation, or assigns, in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved February 21, 1873.

A. D. 1873

Liability of
Stockholders.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE LAURENS AND ASHEVILLE RAILROAD."

No. 296.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of the Act entitled "An Act to authorize the formation of, and to incorporate, the Laurens and Asheville Railroad," approved March 13, 1872, be, and the same is hereby, amended so as to read as follows, to wit: "That J. R. Fowler, Wm. Mills, Lanson Owens, Samuel Fleming, William H. Langston, Y. J. P. Owens, J. Crews, W. E. Earle, Thomas M. Cox, Alexander Isaacs, Wilson Cook, Alex. McBee, H. P. Hammett, L. Williams, Hewlett Sullivan, James P. Moore, and their associates and successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Columbia, Laurens and Asheville Railroad Company, for the purpose of constructing a railroad from the city of Columbia to the town of Laurens, thence to the town of Greenville, and thence toward Asheville, N. C., by the most direct and possible route: *Provided*, *further*, That the said company may unite or connect with any railroad now in operation or hereafter to be built, connecting with the city of Columbia, or Port Royal, which connection shall form a part of said road as hereby proposed to be built."

Corporators.

Corporate name.

Line of road.

Proviso.

Approved February 21, 1873.

A. D. 1873.

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No. 297.

AN ACT TO CONSTRUCT A WHARF AT ROCKVILLE, AND FOR  
OTHER PURPOSES.

Wharf at Rock-  
ville, on Wad-  
malaw Island.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John B. Connor and Peter Toglio be, and are hereby authorized to build a wharf, to deep water, in front of the public road leading through the village of Rockville, on Wadmalaw Island, to collect wharfage on the same, and to use, sell or lease said wharf for their own separate use and behoof, subject to any laws now existing, or hereafter to be made, in relation to said property.

Approved February 21, 1873.

No. 298. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE ST.  
MATTHEW'S EVANGELICAL CHURCH, OF ORANGEBURG COUNTY.

Charter re-  
newed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the St. Matthew's Evangelical Church, of Orangeburg County, be, and the same is hereby, renewed and extended, with all the rights, powers and privileges heretofore granted to said church.

Acts done va-  
lidated.

SEC. 2. That all acts done, or authorized to be done, by the officers of said church, since the expiration of their former charter, be, and the same are hereby, declared valid and binding in all respects and to all intents.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 21, 1873.

No. 299. AN ACT TO AMEND SECTION 6 OF CHAPTER LXII OF THE GENERAL STATUTES.

Insurance Com-  
panies to take  
out license from  
Comptroller  
General.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 6 of Chapter LXII of the General Statutes be amended so as to read as follows: "That it shall not be lawful for any agent of any insurance company in the United States, or any foreign State, not incorporated by the

laws of this State, to take risks or transact any business of insurance in this State, without first obtaining a license from the Comptroller General, which license shall expire on the thirty-first day of March of each year; and, for every such license, the company or agent taking out the same shall pay, or cause to be paid, to the Comptroller General the sum of five dollars."

A. D. 1873.

Amount of license.

Approved February 22, 1873.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO RE-CHARTER THE TOWN OF FROG LEVEL." No. 300.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name "Frog Level," wherever it occurs in the Act, be stricken out, and the name "Prosperity" inserted.

"Prosperity" inserted in lieu of "Frog Level."

Approved February 22, 1873.

AN ACT TO INCORPORATE THE GARRISON LIGHT INFANTRY, OF CHARLESTON, S. C. No. 301.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas Bamfield, W. A. Hord, Wm. Wilson, L. G. Brown, T. A. Hall, and their associates and successors in office, be, and they are hereby, created and constituted a body politic and corporate, under the name and style of the Garrison Light Infantry, of Charleston, S. C., with a capital stock not exceeding the sum of five thousand dollars, with a right to sue and be sued, plead and be impleaded, in any of the Courts of the State, to have and to use a common seal, and the same at will to alter, and to have and enjoy all other rights and privileges that now are, or may be hereafter, secured by law to like incorporated bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. This corporation shall enjoy all the rights and privileges secured to corporations under the Act to regulate the formation of corporations, and be subject to the liabilities therein prescribed, so far as applicable.

A. D. 1873.

SEC. 3. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 22, 1873.

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No. 302. AN ACT TO INCORPORATE THE CANAAN BAPTIST CHURCH, IN BEAUFORT COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House, of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the members of the said society be, and the same are hereby, incorporated and declared a body corporate, under the name and style of the Canaan Baptist Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same, and by its corporate name may sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

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No. 303. AN ACT TO INCORPORATE THE LINCOLN RIFLE GUARDS, OF KINGSTREE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That F. D. J. Lawrence, John Pendegrass, James Thorp, and the several persons who now are or may hereafter become members of the Lincoln Rifle Guards, of Kingstree, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Lincoln Rifle Guards, of Kingstree, and that the said corporation may, by its corporate name, sue and be sued, plead and be impleaded, in any of the Courts of the State, and shall have all the rights, and

be subject to all the liabilities, that now are or may hereafter be granted to, or imposed by law, on incorporations of like nature.

SEC. 2. This Act shall be deemed a public Act, and remain in force until repealed.

A. D. 1873.  
Powers and  
privileges.

Approved February 22, 1873.

AN ACT TO INCORPORATE THE WILSON ARTILLERY COMPANY, No. 304.  
OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry Z. Burekmeyer, Allen McCloud, Charles Lockwood, and their associates and successors, be, and they are hereby, incorporated and declared a body politic and corporate, by the name and style of the Wilson Artillery Company, of Charleston, S. C., and by that name and style shall have succession of officers and members, and shall have a common seal, may sue and be sued in any Court of this State; they shall have power to make all necessary rules and by-laws, not repugnant to law, and shall have, use and enjoy all other rights, and be subject to all other liabilities incident to bodies corporate.

Corporators.

Corporate name.

Powers and  
privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

AN ACT TO INCORPORATE THE INDEPENDENT FIRE ENGINE No. 305.  
COMPANY, OF FLORENCE, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. Gamble, P. R. R. M. Satters, W. E. Pearsall, James E. Chase, J. R. Husband, J. Keoker, and their associates and successors in office, be, and they are hereby, created and constituted a body politic and corporate, by and under the name and style of the Independent Fire Engine Company, of Florence, South Carolina, with a capital

Corporators.

Corporate name.



A. D. 1873.

Powers and  
privileges.

stock not exceeding the sum of ten thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of common jurisdiction, to have and to use a common seal, the same to alter at will and pleasure, and to have and enjoy all other rights, privileges and immunities that are now, or may be hereafter, secured by law to like incorporated bodies.

SEC. 2. This corporation shall enjoy all the rights and privileges secured to corporations under the Act to regulate the formation of corporations, and be subject to the liabilities therein prescribed, so far as applicable.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 306. AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHESTER.

"Twenty-five"  
inserted in lieu  
of "ten."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section ten (10) of the Act entitled "An Act to renew and amend the charter of the town of Chester," approved March 26, A. D. 1869, be, and the same is hereby, amended by striking out the word "ten," in the sixth line thereof, and inserting the words "twenty-five" in the place thereof.

Power to widen  
streets in said  
town.

SEC. 2. That the Town Council of Chester shall have power to widen any of the streets of the said town, and, if the owners of land whose property will be affected thereby, refuse to cede so much land as may be required for that purpose, the said Town Council may condemn such land, in the same manner, and by like proceedings, to those provided by the "Act to declare the manner by which the lands, or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," approved September 22, 1868.

May prevent  
erection of frame  
buildings on cer-  
tain streets.

SEC. 3. That said Town Council shall have the right to prevent the erection of any wooden or frame buildings on the Main street of the said town, from the corner of Centre street, on the north side thereof, and along both sides of York street, to the corner of Wylie street, and on the south side of said Main street, as far as the lower corner of the brick building the property of John L. Chambers, and

shall have power to make any ordinance to enforce said right, not inconsistent with the Constitution and laws of this State.

A. D. 1873.

SEC. 4. All Acts, or parts of Acts, inconsistent herewith, are hereby repealed.

Approved February 22, 1873.

AN ACT TO PROVIDE FOR PURCHASERS OF LAND, AT SALES  
MADE FOR NON-PAYMENT OF TAXES, BEING PUT INTO POSSES-  
SION OF THE SAME. No. 307.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever lands are sold on account of the non-payment of taxes, the purchaser thereof, to whom a conveyance is made, shall have the right to immediate possession of the same; and it shall be the duty of the Sheriff of the County, where said lands are situated, after ten days' notice being given, upon complaint made, and exhibition of the deeds of conveyance, to eject persons unlawfully holding over, and to put said purchaser into possession; and any person or persons who will resist the Sheriff, or refuse to vacate, shall be deemed guilty of a misdemeanor, and punished by imprisonment not less than six (6) months, and no more than twelve (12) months: *Provided, however,* That if the person or persons holding over, and claiming possession, shall, within ten days from the execution by the Sheriff of the summary powers conferred by this Act, file in the office of the said Sheriff the tax receipt, or a certificate from the County Treasurer, certifying that the tax or taxes were paid on the property in question, and for the year or years for which sold, thereupon the action of the Sheriff shall be *null and void*: *And provided, further,* That in case of tenants holding under leases, they shall not be ejected until the expiration of the same, unless they refuse to attorn to said purchaser or purchasers.

Purchaser of  
forfeited lands  
entitled to im-  
mediate posses-  
sion.

Sheriff to put  
purchaser in  
possession.

Resisting Sher-  
iff a misdemea-  
nor.

Proviso.

Action of Sher-  
iff null and  
void if tax re-  
ceipt is exhibi-  
ted.

Tenants under  
leases not to be  
ejected unless re-  
fusing to attorn.

Approved February 22, 1873.

AN ACT TO REVISE AND AMEND AN ACT ENTITLED "AN ACT TO  
REDUCE ALL ACTS AND PARTS OF ACTS TO DETERMINE AND  
PERPETUATE THE HOMESTEAD INTO ONE ACT, AND TO AMEND  
THE SAME." No. 308.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the family home-

A. D. 1873.

Homestead—of  
what it to consist—  
value of.Exempt from  
attachment, levy  
and sale.Sheriff to set off  
homestead.Appraisers—  
manner of ap-  
pointment of.

Duties.

May call in sur-  
veyor.Proceedings—  
when final.When Court  
may order re-ap-  
praisement.When Sheriff  
may appoint ap-  
praiser.When debtor  
may have return  
recorded.Title, when dis-  
charged from  
debts of debtor.

stead of the head of each family residing in this State, such homestead consisting of dwelling-house, outbuildings and lands appurtenant, not to exceed the value of one thousand dollars, and yearly product thereof, shall be exempt from attachment, levy or sale, on any mesne or final process issued from any Court upon any judgment obtained upon any right of action, whether arising previous or subsequent to the ratification of the Constitution of the State of South Carolina; and it shall be the duty of the Sheriff, or other officer, before executing any process against the real estate of any head of a family resident in this State, to cause a homestead, as above stated, to be set off to said person in the manner following, to wit: He shall cause three appraisers to be appointed, one to be named by the creditor, one by the debtor, and one by himself, who shall be discreet and disinterested men, and in no wise related to either party, resident in the County, and who shall be sworn by a Trial Justice or other officer authorized by law to administer oaths, to impartially appraise and set off, by metes and bounds, a homestead, not to exceed in value one thousand dollars; and said appraisers shall make return of their action in the premises, under their hands and seals, to the Sheriff or other officer, within ten days after the assignment and set off is made, for record in Court, giving the metes and bounds, as well as the value of the homestead so set off, for which purpose they shall be authorized to call in the aid of a surveyor, if they, or a majority of them, deem it necessary. And if no complaint shall be made by either party, within thirty days after the return of the appraisers has been filed, the proceedings in the case shall be final: *Provided*, That, upon good cause shown, within thirty days after filing the return of said appraisers, the Court out of which the process issued may order a re-appraisement and re-assignment of the homestead by other appraisers appointed by the Court: *And provided, further*, That should the creditor or debtor neglect or refuse, after ten days' notice from the officer in whose hands the process is lodged, to nominate an appraiser, then the said officer shall appoint the same.

SEC. 2. That when thirty days shall have elapsed after the filing the return of said appraisers, setting off a homestead to any debtor, according to the provisions of Section 1 of this Act, and no good cause has been shown, or exceptions filed against such return, such debtor may have such return recorded in the office of the Register of Mesne Conveyance of the County in which the same is located; and upon such return being so recorded in thirty-three days after the proceedings have become final, the title to the homestead so set off and assigned, shall be forever discharged from all debts of said debtor then existing or thereafter contracted.



A. D. 1873.

SEC. 3. That whenever, in the assignment of a homestead, as provided in Section 1 of this Act, the appraisers shall find that the premises, including the dwelling house and out houses, exceed the value of one thousand dollars, and that the same cannot be divided without injury to the remainder, they shall make and sign, under oath, an appraisal thereof, and deliver the same to the Sheriff, who shall deliver a copy thereof to the head of the family claiming the homestead, or to some member of the family of suitable age to understand the nature thereof, with a notice attached, that unless the person so claiming the homestead shall pay to said Sheriff the surplus of the appraised value over and above one thousand dollars, within sixty days thereafter, such premises will be sold, and on failure to pay such surplus in the time limited, the Sheriff shall advertise and sell the said premises, and, out of the proceeds of such sale, shall pay into the office of the Clerk of the Circuit Court one thousand dollars, which shall be applied, under the order of the Circuit Judge, upon the application of the head of the family, in the purchase of a homestead of that value. The residue in the hands of the Sheriff, if any, after paying all expenses incident to the appraisal and sale of the property, shall be applied by him to any executions in his hands, according to law: *Provided*, That no sale shall be made unless a greater sum than one thousand dollars shall be bid therefor: *Provided, further*, That if, after notice, the party claiming the homestead pays, or causes to be paid, the surplus over one thousand dollars, he shall, upon recording the return and receipt of the Sheriff for such surplus, endorsed on said return, as provided in Section 2 of this Act, hold the property so appraised and set off, freed and discharged from all debts and demands then existing against such parties; but as to such surplus not from debts thereafter contracted, like proceedings to the foregoing being in such case allowable for the recovery of all after contracted debts.

If premises exceed value of one thousand dollars Sheriff to notify head of family to pay surplus.

Upon failure to pay, premises to be sold.

Disposition of residue in such case.

Proviso.

If party claiming homestead pays surplus, property to be discharged from debts then existing.

SEC. 4. If the husband be dead, the widow and children, if the father and mother be dead, the children living on the homestead, whether any or all such children be minors or not, shall be entitled to have the family homestead exempted in like manner as if the husband or parents were living; and the homestead so exempted shall be subject to partition among all the children of the head of the family in like manner as if no debts existed: *Provided*, That no partition or sale in that case shall be made until the youngest child becomes of age, unless, upon proof satisfactory to the Court hearing the case, such sale is deemed best for the interest of such minor or minors.

Widow and children entitled to homestead.

Homestead so exempt subject to partition.

When partition may be made.

SEC. 5. No waiver of the right of homestead, however solemnly executed, shall be binding upon the head of the family, or, in case

No waiver of right binding.



A. D. 1873.

Exemption of personal property from attachment, levy and sale.

Proviso.

Homestead—when subject to attachment, levy and sale.

Duty of Court in such cases.

Yearly product—when subject as above.

When Probate Judge may set off homestead.

To give notice and appoint appraisers.

of his or her death, his or her heirs, so as to defeat the homestead herein provided for.

SEC. 6. The personal property of the head of any family, residing in this State, consisting of the yearly products of his or her homestead, and of the property subject to exemption under the Constitution, shall be exempt from attachment, levy or sale: *Provided*, That in case the right of such exemption be disputed by the creditor, the officer in whose hands the process is lodged shall cause the same to be ascertained and appraised, and all exempted property so ascertained and appraised, by appraisers appointed and sworn for that purpose, as provided in Section 1 of this Act, shall vest absolutely in the party freed from all debts of the debtor then existing, or thereafter contracted, whether such debtor retain or sell the property: *Provided, further*, That a debtor, being the head of a family as hereinbefore stated, and not being the owner of any homestead, shall be entitled to a like exemption of personal property, as herein allowed to the owner of a homestead, to be ascertained in the same manner.

SEC. 7. That the exemptions contained in the preceding Sections of this Act shall not extend to an attachment, levy or sale on any mesne or final process issued to secure or enforce the payment of taxes or obligations contracted for the purchase of said homestead, or obligations contracted for the erection of improvements thereon: *Provided*, The Court or authority issuing said process shall certify thereon that the same is issued for some one or more, and no other, of said purposes: *Provided, further*, The yearly product of said homestead shall be subject to attachment, levy and sale to secure or enforce the payment of obligations contracted in the production of the same, but the Court issuing the process therefor shall certify thereon that the same is issued for said purpose, and no other.

SEC. 8. Whenever the head of any family, widow or children shall be entitled to an estate or right of homestead as hereinbefore provided, and no process has been lodged with any officer against such homestead, the party or parties entitled to such homestead may apply at any time, by petition to the Judge of the Probate Court, to have the same appraised and set off. The Judge of Probate shall, thereupon, after giving public notice by advertising the intention of such party or parties to have his or their homesteads set off for thirty days in a paper published in the County where the land lies, and in case no paper is published in the County, then by posting the notice on the door of his office, and in three other public places, for a like length of time, appoint three disinterested persons, resident in the County, who, having been duly sworn, shall proceed to appraise and set off, by metes and bounds, such home-

stead, and make return to him. If no complaint shall be made by any creditor, or other person interested, against said appraisal and setting off of the homestead, within thirty days after the return of the appraisers, the same shall be confirmed by the Judge and ordered accordingly: *Provided*, That no appraisement shall be made or return filed until the notice has expired. Personal property, to the extent and of the kind hereinbefore stated, may be exempted and set off in like manner.

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If no complaint is made, Judge to confirm appraisal.

Proviso.

SEC. 9. That one-third of the yearly proceeds of every person, not being the head of a family, of every avocation, without regard to valuation, character or condition of products or earnings, shall be exempted from attachment, levy and sale, except to enforce the payment of taxes.

One-third of yearly product exempt.

SEC. 10. That no Sheriff, Constable, or other officer, whose duty it is to enforce executions, shall proceed in any other manner than is prescribed in this Act; and should any officer sell any real estate, or sell or remove any personal property, in violation of the provisions of this Act, and of Section 32 of Article II of the Constitution of the State of South Carolina, he shall be guilty of a misdemeanor, and, on conviction thereof, shall, for the first offense, be fined in a sum not less than five hundred dollars, (\$500,) nor more than one thousand dollars, (\$1,000,) and, upon conviction, for the second offense, his office shall be deemed vacant; and, in either case, he shall be liable, in damages, to the parties injured, for all injuries, by reason of his wrongful levy or sale.

Penalty for violating the Constitution and this Act.

SEC. 11. Appraisers appointed to set off the homestead under this Act shall receive as compensation for such service two dollars each per day, and five cents a mile for every mile of necessary travel. The Sheriff shall receive five dollars for all services incidental to setting off the homestead, but exclusive of all necessary disbursements. The Trial Justice or other officer who qualifies the appraisers, shall receive for such service seventy-five cents, and five cents a mile for every mile of necessary travel. The foregoing fees shall be paid by the officer executing the process, out of the property of the debtor, or, in case of the homestead set off to the widow or minor children, out of the estate of the deceased, by the executor or administrator thereof: *Provided*, That the officer, before setting off the homestead and exemption, in any case, shall be entitled to demand and receive from the plaintiff in execution, in advance, a sum of money sufficient to cover the necessary fees and costs herein allowed. Whenever a homestead is set off, as provided in Section 8 of this Act, the Probate Judge shall receive as compensation five dollars for all services, including the record of the proceedings, but excluding the advertising, which shall not exceed five dollars, and

Compensation of appraisers.

Sheriff.

Trial Justice.

Fees—out of whose property to be paid.

Certain fees to be paid in advance.

Compensation of Probate Judge.

A. D. 1873.

which fees and costs shall be paid, in advance, by the party claiming the homestead and exemption.

Repealing  
clause.

SEC. 12. All Acts and parts of Acts inconsistent with or supplied by this Act, be, and the same are hereby, repealed.

Approved February 22, 1873.

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No. 309. AN ACT TO REVIVE AND AMEND THE CHARTER OF THE APPRENTICES' LIBRARY SOCIETY, OF CHARLESTON.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Apprentices' Library Society, of Charleston, be revived and extended with all the rights, privileges, properties and powers, heretofore granted and enjoyed, and that the name of said society be changed to the Apprentices' and Minors' Library Society.

Charter revived.

Name changed.

Approved February 22, 1873.

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No. 310. AN ACT TO INCORPORATE THE SCOTT UNITED BLUES, OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. L. Benford, M. D. Brown, B. McPherson, Proctor, Robert Smith, S. Goodwine, and their associates, be, and they are hereby, incorporated a body politic, under the name and style of the "Scott United Blues, of the city of Charleston."

Corporators,

Corporate name.

Powers and  
privileges.

SEC. 2. That the said corporation hereby created and established, shall have succession of officers and members according to its by-laws, and shall have power to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any of the Courts of this State; and to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real or personal, as it may acquire by purchase, right, devise or bequest, or in any other manner whatsoever, and the same or any part thereof to sell, alien, incumber, mortgage or con-

vey at will: *Provided*, That the amount of property, real or personal, so held, shall not, at any one time, exceed the sum of ten thousand dollars.

A. D. 1873.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW  
AND AMEND THE CHARTER OF THE TOWN OF WALTERBORO." No. 311.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to renew and amend the charter of the town of Walterboro," approved March 1, 1870, be amended by striking out, in the second Section of the Act, the word "second," and inserting the word "first."

"First" inserted in lieu of "second."

Approved February 22, 1873.

AN ACT TO INCORPORATE THE SOUTH CAROLINA AGRICULTURAL  
AND MECHANICAL SOCIETY. No. 312.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. W. Woodward, Johnson Hagood, J. P. Thomas, Wm. Wallace, D. Wyatt Aiken, Samuel W. Melton, R. C. Shiver, J. M. McKay, J. D. Robertson, Joseph Crews, S. J. Lee, D. H. Chamberlain, L. T. Levin, W. H. Jones, Jr., associated in a society for the purpose of promoting the entire material interests of the State, be, and the same are hereby declared to be, a body politic and corporate, under the name and style of the South Carolina Agricultural and Mechanical Society, and as such shall be authorized to use a common seal, sue and be sued, to plead and be impleaded, under the said name and style, and to adopt such a constitution and pass such by-laws, as may, in the opinion of the members of said Society, appear best calculated to promote the aims and objects of the said Association.

Corporators.

Object of corporation.

Corporate name.

Powers and privileges.

SEC. 2. That said Society is hereby authorized to purchase and



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May acquire  
or dispose of  
property.

hold real estate not to exceed the value of sixty thousand dollars, and the same to sell and mortgage at will.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 313. AN ACT TO INCORPORATE THE BRYAN LIGHT INFANTRY, OF CHARLESTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Smart Gladden, Bristow Smalls, James Horlbeck, and the several persons who now are, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Bryan Light Infantry; and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State; and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatever kind or nature soever; and the same, or any part thereof, to sell, alien or convey at pleasure: *Provided, however,* That the property so held shall not exceed the value, at any one time, of ten thousand dollars.

Corporators.

Corporate name.

Powers and  
privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 314. AN ACT TO LAY OUT AND ESTABLISH A NEW ROAD IN UNION COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a new road be, and the same is hereby, established, as a public highway, in Union County, leading from Mary J. Davis, on the Smithford road, to McPherson's, on the Rutherford road, and that John D. Jeffries, Z. Phil-

Public road  
established.

Commissioners  
to lay out road.

lips, William Byars, Thomas M. Littlejohn and Thomas Spencer, be, and are hereby, appointed Commissioners to lay out and establish said road.

A. D. 1873.

Approved February 22, 1873.

AN ACT TO CHANGE THE NAME OF FRANK SIMPSON, OF ANDERSON COUNTY, TO FRANK CARTER.

No. 315.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Frank Simpson, of Anderson County, is hereby changed to Frank Carter, and that hereafter the said Frank Simpson shall be known and called Frank Carter.

Frank Simpson's name changed to Frank Carter.

Approved February 22, 1873.

AN ACT TO INCORPORATE THE WADMALAW RIFLEMEN, AND THE EDISTO RIFLEMEN, AND ALSO THE SUMNER LIGHT DRAGOONS, ALL OF CHARLESTON COUNTY.

No. 316.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward Petty, Charles Boyken, Richard Forbes, Isaac Gadsden, and Robert Nixon, under the name and style of the Wadmalaw Riflemen, and that James Hutchinson, Toney Geddes, Jack Filmore, and Jonas Grant, under the name and style of the Edisto Riflemen, and also W. H. Berney, W. H. Thompson, John Bonum, and A. P. Ford, by the name and style of the Sumner Light Dragoons, all of Charleston County, and their successors and associates, be and they are respectively incorporated and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall, each one of them, have the power to use and keep a common seal, and the same at will to alter, to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws, to sue and be sued in every Court of this State, and to have, use and enjoy all

Corporators and corporate names

Powers and privileges.

A. D. 1873.

other rights, and be subject to all other liabilities incident to bodies corporate.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 317. AN ACT TO INCORPORATE THE FORD RIFLEMEN, OF CHARLESTON, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Irwin Carter, Joshua Washington, Chas. Broughton, James Barnwell, N. S. Gantt, L. Bonneau, J. Edwards, Hector Small, and their successors and associates, be, and they are hereby, incorporated, and made and declared a body politic and corporate, in deed and in law, and, as such body politic, shall have the power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members conformable to such by-laws, to sue and be sued, plead and be impleaded, in any Court of law in this State, and to have, use and enjoy all other rights, and be subject to all other liabilities incident to bodies corporate.

Powers and privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 318. AN ACT TO AMEND SECTION 17 OF CHAPTER XLV OF THE GENERAL STATUTES OF THE STATE.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 17, Chapter XLV, of the General Statutes of the State, be amended by striking out the words "forty-five," and insert in lieu thereof the words "fifty-five."

"Fifty-five" inserted in lieu of "forty-five."

• Approved February 22, 1873.

## AN ACT TO RE-CHARTER ASHFORD'S FERRY.

A. D. 1873.

No. 319.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Ashford's Ferry, across Broad River, be, and is hereby, re-chartered, and vested in James R. Ashford, his heirs and assigns. The usual rates of toll to be charged for crossing said Ferry.

Ashford's Ferry re-chartered.

In whom vested.

SEC. 2. This Act shall be deemed a public Act, and remain in force until repealed.

Approved February 22, 1873.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOLL BRIDGE ACROSS THE SAVANNAH RIVER, AT HAMBURG, SOUTH CAROLINA. No. 320.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the toll bridge over the Savannah River, at Hamburg, South Carolina, built by Henry Shultz and Lewis Cooper, be, and the same is hereby, re-established and re-chartered, and is hereby vested in Samuel Spencer, S. J. Lee, P. R. Rivers, John Williams, E. M. Brayton, C. D. Hayne, of the town of Hamburg, South Carolina, their successors and assigns; and that the said Samuel Spencer, S. J. Lee, P. R. Rivers, John Williams, E. M. Brayton, C. D. Hayne, their successors and assigns, shall be, and they are hereby, authorized to demand, collect and receive the same rates of toll at the said bridge as have been heretofore allowed and established there; and they shall have, exercise and enjoy all the exclusive rights, privileges and immunities that have heretofore been extended and allowed to the former proprietors of the said bridge under the former charter.

Toll bridge re-chartered.

In whom vested.

Powers and privileges.

SEC. 2. That this Act shall be a public Act, and remain of force until repealed.

Approved February 22, 1873.

AN ACT TO INCORPORATE THE AFRICAN METHODIST EPISCOPAL TRINITY CHURCH, OF MANNING, SOUTH CAROLINA. No. 321.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William

Corporators.



A. D. 1873.

Corporate name.

Powers and  
privileges.

Dickson, Titus Mellett, Primus Servants, A. Collins, and all persons who now are, or who hereafter shall or may become members of said society, shall be, and they are hereby, incorporated and declared to be a body politic, by the name and style of the "African Methodist Episcopal Trinity Church, of Manning, South Carolina," and by that said name shall have succession of officers and members, and have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive, and possess any real or personal estate, for the purposes of this Act, not exceeding in value ten thousand dollars, or to sell the same; and by its corporate name to sue and be sued, in any Court in this State, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient. Said society shall have all the powers, and be subject to all liabilities and restrictions, of the Act to regulate the formation of corporations, so far as applicable.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

No. 322. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF BARNWELL COUNTY TO OPEN A PUBLIC ROAD THROUGH THE TOWN OF MIDWAY.

Cannon's bridge  
road discontin-  
ued.New road es-  
tablished.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of the old public road, known as Cannon's Bridge, running from Lemon's Swamp to Cannon's Bridge, as runs around the town of Midway, in Barnwell County, be, and the same is hereby, discontinued and closed as a public highway; and the road running through the said town and connecting with the Cannon's Bridge Road, outside of the limits of said town, be declared to be a public highway.

Approved February 22, 1873.

No. 323. AN ACT TO INCORPORATE THE CALVARY PRESBYTERIAN CHURCH, AT CHURCH FLATS, IN COLLETON COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sam-

uel Garrett, John Grant, Cudjoe Steplight, and their associates, be, and are hereby, incorporated by the name and style of the Calvary Presbyterian Church, at Church Flats, in Colleton County, and by that name and style shall have succession of officers and members, and shall have a common seal.

A. D. 1873.

Corporate name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding twenty thousand dollars in value, with power to sell, convey and dispose of the same, and, by its corporate name, may sue and be sued, in any Court of this State, and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

Powers and privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 22, 1873.

## AN ACT TO INCORPORATE THE TOWN OF BLACKSTOCK.

No. 324.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, and of this State, who now are, or hereafter may be, inhabitants of the town of Blackstock, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Blackstock, and its limits shall be deemed and held to extend one-half a mile, in each direction, from John Carroll's Hotel.

Corporators.

Corporate name.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April, 1873, and on the first Monday in April of every year thereafter.

Officers—when to be elected.

SEC. 3. That the provisions of the charter of the town of Ninety-Six, incorporated by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872, be, and the same are hereby, held and declared to extend to, and be of force as to, the town of Blackstock.

Invested with provisions of charter of Ninety-Six.

Approved February 22, 1873.

## AN ACT TO INCORPORATE THE TOWN OF NICHOLS.

No. 325.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gene-

- A. D. 1873. ral Assembly, and by the authority of the same, That from and after the passage of this Act, all and every person or persons who shall have resided in this State for twelve months, and sixty days in the village of Nichols, in the County of Marion, shall be deemed, and are hereby declared to be, a body politic and corporate, and be called and known as the town of Nichols. And its corporate limits shall extend from a stake at the crossing of the County and Railroad, as follows: One half mile from said stake, north, south, east and west, forming a square, or as nearly so as the said points will allow.
- Corporators.
- Corporate limits.
- Officers. SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall have resided in this State twelve months, and shall have been residents of the said town sixty days immediately preceding their election, and who shall be elected on the first Monday in March, 1873, and every year thereafter on the first Monday in January, ten days' notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and in the said town sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.
- Electors.
- Election. SEC. 3. That said election shall be held at some convenient public place in said town, from nine o'clock in the morning until four o'clock in the afternoon, and, when the polls shall be closed, the Managers shall forthwith count the votes, and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, The Commissioners of Election of Marion County shall call the first election, under this Act, and shall appoint Managers to conduct the same, who shall make returns thereof to the Commissioners, the same as other elections held in this State. And the said Commissioners shall declare the election, and notify the persons elected Intendant and Wardens of the said town. The Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of the State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Nichols, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected: So help me God." And, if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars for the use of said town: *Provided*, That no person
- Commissioners of Election to appoint Managers, &c.
- Oath of office.

who has attained the age of sixty years shall be compelled to serve either as Intendant or Warden, nor shall any other person be compelled to serve, in either of said offices, more than one year, in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

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Penalty for refusal to serve as Intendant or Warden.

Managers.

SEC. 4. That all the rights, privileges and powers, together with all the penalties and restrictions imposed and conferred upon the Intendant of the town of Manning, by an Act entitled "An Act to alter and renew the charter of the town of Manning," approved March 9, 1871, be, and the same are hereby, imposed and conferred on the Intendant and Wardens of the town of Nichols.

Invested with powers and privileges conferred on town of Manning.

SEC. 5. That this Act shall be deemed a public Act, and continue in force until amended, altered or repealed.

Approved February 26, 1873.

# AN ACT TO INCORPORATE THE GRAND SOUTHERN HOTEL AND TRANSFER COMPANY, OF COLUMBIA, SOUTH CAROLINA.

No. 326.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Hardy Solomon, Josephus Woodruff, S. L. Hoge, L. Cass Carpenter, A. O. Jones, LeGrand Benedict, C. H. Baldwin and David Epstin, their successors and assigns, are hereby created and constituted a body corporate and politic, under the name and style of the Grand Southern Hotel and Transfer Company, of Columbia, South Carolina, with the power of perpetual succession, to have a corporate seal, and to make reasonable by-laws for the government of said corporation and its property and franchises, and to sue or be sued by the corporate name aforesaid.

Corporators.

Corporate name.

SEC. 2. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same, from time to time, as shall be determined by vote of two-thirds in interest of the stockholders, such capital to be issued in shares of one hundred dollars each, in such manner as shall be determined by the by-laws of the corporation; and said company are hereby authorized to commence business under this Act as soon as twenty-five per cent. of the stock thereof shall have been paid in.

Capital stock.



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Property and  
business—by  
whom managed.Vacancies—  
how filled.Powers and  
privileges.

Proviso.

Liability of  
stockholders.When to take  
effect.

SEC. 3. The property and business of the corporation shall be controlled and managed by a Board of five (5) Trustees, to be chosen by a majority in interest of stockholders of said corporation, at such time and place, and for such term, as shall be fixed by the by-laws of the said company, and to hold their offices until their successors are duly elected and qualified. Vacancies shall be filled in conformity with the by-laws.

SEC. 4. Said corporation shall have power to acquire, hold, lease and convey real and personal property, to make contracts and incur obligations, and to do any act or acts proper for the construction and furnishing buildings and conducting the business of hotel keeping, and shall further have power to engage in the business of transferring, carrying and delivering passengers, baggage and freight of all kinds: *Provided*, That no distinction be made on account of race, color or previous condition: *Provided, further*, That the stockholders of said company shall be liable to the amount of their respective share or shares of stock in said company for all its debts and liabilities, upon note or otherwise.

SEC. 5. This Act shall be deemed a public Act, and shall take effect immediately.

Approved February 26, 1873.

No. 327.

AN ACT TO REGULATE THE FEES OF PROBATE JUDGES, CLERKS OF COURTS, TRIAL JUSTICES, AND OTHER OFFICERS HEREIN MENTIONED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the fees which Probate Judges, Clerks of Courts, Trial Justices, and other officers herein mentioned, shall be authorized to receive in the several cases herein specified, shall be as follows:

Fees allowed  
to Judges of Pro-  
bate.

SEC. 2. Judges of Probate—For petition for letters, &c., fifty cents; for citation, fifty cents; qualifying executor, administrator, or guardian, and issuing letters to same, one dollar and fifty cents; taking bond of administrator or guardian, one dollar; issuing warrant of appraisement, one dollar; proving will in common form, one dollar; proving will in solemn form, five dollars; filing and entering renunciation of executor, one dollar; *dedimus potestatem* to prove will or qualify executor, two dollars; receiving, examining

A. D. 1873.

and filing annual returns, one dollar; for first and final returns, each, three dollars; order for sale of personal property, one dollar; hearing and filing petition for guardians and appointment, two dollars; entering caveat and withdrawing same, one dollar; for hearing litigated case, three dollars, and twenty-five cents additional for each witness examined; issuing summons for each witness, when not issued by an attorney, thirty cents; for every rule issued against defaulting witness or party failing to account, two dollars; for proceedings in partition of real estate, five dollars, and fifty cents additional on every hundred dollars, or fractional part thereof, for which the land may be sold, or in case of partition in kind, for which it may be assessed: *Provided*, That in no case shall the fees and allowances so received aggregate more than twenty-five dollars: *Provided, further*, That in cases of partition in kind no commission shall be charged; for appointing guardians *ad litem*, one dollar; commissions on all moneys received and paid out, two per cent. on the first three hundred dollars, and one per cent. on all sums over that amount; for search for each paper, ten cents; for certificate and seal, fifty cents; for final discharge of executor, administrator or guardian, one dollar; for proceedings in dower, inclusive of all charges, except recording, ten dollars; for proceedings in lunacy, inclusive, five dollars; for recording all papers proper to be recorded, or furnishing copy of any paper in his office, per copy sheet of one hundred words, each figure counting one word, fifteen cents; for all services in setting off the homestead, including the title and record of proceedings, five dollars.

SEC. 3. Clerks of Courts—For signing and sealing sub writ, fifty cents; for administering oaths, twenty-five cents; for taking and filing bonds in trover, attachment and other cases, one dollar; for signing and sealing commission to examine witness, fifty cents; recording plats, under order of Court, one dollar; rule of survey, fifty cents; each official certificate under seal, fifty cents; issuing attachment for contempt, or other special writ, fifty cents; signing and sealing writ of *habere facias possessionem*, fifty cents; receiving and paying over money officially, under three hundred dollars, one per cent., over that amount one-half of one per cent; on bill, *nolle prosequi* before given out, one dollar; on bill thrown out by grand jury, or found and *nolle prosequi* abated, discontinued or struck off, two dollars; on bill found and verdict by petit jury, two dollars; issuing bench warrant, one dollar; issuing *seire facias*, one dollar; issuing each execution in sessions, one dollar; signing and sealing writ of *habeas corpus*, one dollar; issuing warrant or taking recognizance or other services in the sessions, the same fees allowed to Trial Justices; each writ of *venire facias*, in-

Fees allowed  
Clerks of Court s

A. D. 1873.

cluding all services incident to summoning jurors, two dollars and fifty cents; preparing and issuing certificates for grand and petit jurors and Constables, and furnishing return to County Commissioners, for each week of every term of Court, five dollars; furnishing advertisement in case of escheat, exclusive of printer's bill, and recording proceedings thereon, three dollars; for advertising and giving notice to Managers of Elections, six dollars; for license to an attorney, all incidental services included, five dollars; filing and entering notice of alien's intention to become a citizen, one dollar; filing and recording report of alien, one dollar; administering oath of intention, fifty cents; filing and entering application to become a citizen, and administering oath, one dollar; for giving certificate of citizenship, one dollar; for taking renunciation of dower or inheritance, two dollars; for official record of estray, and filing papers, one dollar; every search for a paper, ten cents; every search, with certificates, fifty cents; swearing Trial Justice or Constable in office, and certificate, and taking bond, one dollar; recording the bonds of County officers, and certifying to same, one dollar; for every probate, in writing, twenty-five cents; for signing *dedimus potestatem*, two dollars; for official certificate to exemplification of record, one dollar; on filing transcript, twenty-five cents; on entering judgment, fifty cents; for copying papers, per copy sheet of one hundred words, each figure counting a word, fifteen cents; for signing and sealing each exclusion and removal, fifty cents; for recording and copying deeds, mortgages and other papers, per copy sheet of one hundred words, fifteen cents; for every certificate on deeds or other papers, twenty-five cents; on every appeal from Trial Justice, all services inclusive, two dollars; for entering satisfaction on mortgage, twenty-five cents; for recording or copying plats, of not more than six corners, one dollar; for every corner more than six, ten cents; for filing and recording every rule or order for arbitration, fifty cents; for filing and recording affidavit for continuance when ordered by the Judge, twenty-five cents; for granting charters of incorporations, three dollars.

Fees allowed  
Trial Justices.

SEC. 4. Trial Justices and Justices of the Peace—Oath and warrant in any criminal case, fifty cents; each recognizance, fifty cents; commitments and release, each, twenty-five cents; administering and certifying oath in writing, other than above, fifty cents; issuing writ of *habeas corpus* by two Justices jointly, two dollars; issuing summons and copy for defendant in civil cases, fifty cents; insuing copy for each additional defendant over one, twenty cents; issuing summons to each witness in civil cases, twenty-five cents; for swearing and taking examination of each witness in civil cases, twenty-five cents; for giving judgment in cases not defended, twenty-



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five cents; for giving judgment on hearing litigated cases, seventy-five cents; for issuing exclusion, or removal of same, fifty cents; report of case and taking bond to appeal, one dollar and fifty cents; for issuing attachment returnable to Court or Justice, including all notices, one dollar and fifty cents; for filing returns of garnishee and order thereon, twenty-five cents; for proceedings in case of ejectment, three dollars; for approval of indentures of apprenticeship or servants, one dollar; for proceedings on Coroner's inquest, the same fees as are allowed to Coroners; for proceedings on estray of horse or mule, one dollar; for proceedings on all other estrays, fifty cents; for taking and certifying renunciation of dower or inheritance, two dollars; for granting order for special bail, one dollar; for the trial of any criminal case, three dollars; for every preliminary examination of any criminal case, one dollar and fifty cents; for taking examination of witnesses in writing, as prescribed by law, one dollar; for attending and acting for the preservation of wrecked vessels and goods, three dollars per day out of the vessels' goods and effects; for proceedings against vagrants and returning report thereof, two dollars; for qualifying appraisers in setting off the homestead, seventy-five cents, and five cents per mile for all necessary travel.

SEC. 5. Notaries Public--For taking deposition and swearing witnesses, per copy sheet, twenty-five cents; for every protest, two dollars; for a duplicate of deposition, protest and certificate, per copy sheet, one hundred words, fifteen cents; for each attendance on any person to prove any matter or thing and certifying the same, fifty cents, and five cents additional for every mile of necessary travel in going and returning; for every certificate, fifty cents; for administering an oath, on affidavit, fifty cents; for taking renunciation of dower or inheritance, two dollars.

Fees allowed  
Notaries Public.

SEC. 6. Coroners--For every inquisition, ten dollars, and five cents per mile for every mile of necessary travel in going and returning; for each warrant issued, fifty cents; for each commitment, twenty-five cents; for each recognizance, fifty cents; for each body disinterred, five dollars; for recording proceedings in each inquisition in his book, per copy sheet of one hundred words, fifteen cents; for performing the duties of Sheriff, the same fees as are allowed to Sheriffs for like services.

Fees allowed  
Coroners.

SEC. 7. Witnesses--Witnesses in civil and criminal cases per day, one dollar, besides mileage, at five cents per mile, going and returning: *Provided*, That in no case, except in cases of felonies, where witnesses for the defence are bound over, shall the State be liable to pay defendant's witnesses; witnesses in Trial Justices'

Pay of witnesses.



A. D. 1873.

Court shall receive fifty cents per day, and the same mileage as allowed in Circuit Courts.

Pay of Jurors.

SEC. 8. Jurors—Jurors per day, one dollar and fifty cents, besides mileage, going and returning; Jurors in Trial Justices' Courts shall receive twenty-five cents for each case tried, and mileage, as herein allowed to other Jurors.

Fees allowed  
Sheriffs.

SEC. 9. Sheriffs—For entering every writ, process, warrant or execution, and making endorsements thereon, each twenty-five cents; for serving every writ, or summons, besides mileage, one dollar; for bond in any case, one dollar; for commitment and release, each twenty-five cents; for serving each venire for Grand Jury, ten dollars; for serving each venire for Petit Jury, fifteen dollars; for serving each bench, or other warrant issued in the sessions, attachment, contempt of Court, besides mileage, one dollar; for search for person or goods, not found, and returned on the execution *non est inventus*, or *nulla bona*, besides mileage, one dollar; levying attachment or execution, besides mileage, one dollar; dieting persons per day, forty cents; executing convict, including all charges for burial and other expenses, twenty-five dollars; bringing up prisoner under *habeas corpus*, to be paid by the prisoner, if able, (if not, by the County,) besides mileage, one dollar; for executing writ of *habere facias possessionem*, one dollar, besides mileage of five cents per mile for all necessary travel going and returning; for transferring money, bonds or other securities for money to party, one-half of one per cent; for summoning freeholders to try suggestion of fraud, five dollars; for serving any paper in civil or criminal cases, issued by Trial Justice, the same fees as are allowed to Constables in like cases; conveying prisoners from one place to another, besides all necessary expenses going and returning, three dollars per day; each guard for Sheriff in conveying prisoner, one dollar per day; commission on all moneys collected by him, if under three hundred dollars, two per cent., if over that sum, two per cent. on the first three hundred dollars, and one-half of one per cent. on balance; one-fourth of one per cent. on all moneys paid out of office on all executions lodged; executions lodged to bind and order not to levy, twenty-five cents; advertising defendant's property, in addition to printer's bill, fifty cents; drawing deed or mortgage, two dollars; bill of sale, one dollar; each notice served on set of managers of election, besides mileage, one dollar; in case of ejectment and ejecting tenant or others, three dollars; summoning Coroner's jury and witnesses, to be paid by the County, five dollars; for selling land under decree of the Court of Probate, in lieu of commission and all other charges, except for advertising, three dollars.

SEC. 10. Constables—For summoning each witness in civil cases, fifty cents; for serving summons, rule or notice in any civil case, fifty cents; for serving attachment on each person, one dollar; for levying execution, posting advertisement of sale, and paying over proceeds, fifty cents, besides a commission of two per cent. on all sums collected, to be paid by the party in execution; for every day in search of stolen goods, to be paid by the complainant, two dollars; for serving a warrant in any State case, one dollar; for selling an estray, five per centum of the proceeds; and, in this case, five cents per mile for all necessary travel one way, to be certified in writing, by the officer, on the back of the process; for all necessary service in case of ejection, as well before as after judgment, three dollars; for summoning Coroner's jury and witnesses, to be paid by the County, five dollars.

A. D. 1873.

Fees allowed  
Constables.

SEC. 11. That the following compensation shall hereafter be allowed to any physician who may be called in by the acting Coroner, to make a *post mortem* examination, to wit: Where death has resulted from external violence, and where no dissection is required, the sum of ten dollars; where dissection is necessary, and no interment has taken place, twenty dollars; for the same, after one or more days' interment, thirty dollars; for the same, when any chemical analysis is required, a sum not exceeding fifty dollars, together with the expenses of such analysis, and that in every case in which such a physician shall be called to any distance beyond one mile, he shall be allowed the mileage usually charged in his neighborhood: *Provided*, That in all cases in which chemical analysis shall be made the physician who shall make the *post mortem* examination shall furnish to the County Commissioners of the County in which the said examination has been made, with his account, a full statement of such analysis: *Provided, further*, Every account presented for services for any *post mortem* examination shall have the certificate of the Coroner, or Magistrate acting as Coroner, that the services were rendered.

Fees allowed  
Physician for  
*post mortem*  
examination.

Physician to  
furnish state-  
ment of analy-  
sis to County  
Commissioners.

SEC. 12. That all Acts or parts of Acts inconsistent with, or supplied by this Act, are hereby repealed. Repealing clause

Approved February 26, 1873.

## AN ACT TO INCORPORATE THE DARLINGTON ACADEMICAL SOCIETY. No. 328.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gene-

A. D. 1873.  
 Corporators. ral Assembly, and by the authority of the same, That B. F. Whittemore, T. C. Cox, S. J. Keith Isaac Brockenton, Jackson A. Smith, Clayton Cannon, James M. Brown and E. C. Baker, and their successors in office, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the

Corporate name. "Darlington Academical Society," with the power to sue and be sued, to plead and be impleaded, to possess and hold, subject to former grants, property, within the County of Darlington, to an amount not exceeding twenty thousand dollars.

Certain property vested in corporators under this Act.

SEC. 2. That all property heretofore vested in the Trustees of the Darlington Academy, conveyed by John Gibson, of the County of Darlington, July 9, 1818, to Moses Saunders, Rasha Cannon, John Pearce, Bright Williamson, Dr. Y. Bishop and James Irvin, and by them conveyed to the said Trustees for the sole purpose, use, benefit and advantage of the said Academy established at Darlington C. H., shall be, and the same is hereby, vested in the incorporators named in this Act, and such incorporators shall be deemed and held in law to be the proper and legal successors of such former trustees.

Corporators to take possession of said property.

SEC. 3. That it shall be the duty of the incorporators named in the first Section of this Act, and they are hereby, authorized to take possession of all that property specified in the second Section of this Act, which, by the conveyance of John Gibson, was granted for the purposes set forth, viz: for the use, benefit and advantage of the said Academy, consisting of three and five-tenths acres of land, and the half of a street, fifteen feet wide, from Swift Creek to Copeland Pearce's, all at Darlington C. H.

SEC. 4. This Act to take effect on and after its passage, and to remain in force until repealed.

Approved February 26, 1873.

# No. 329. AN ACT TO INCORPORATE THE SOUTHERN WAREHOUSE COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edwin F. Gary, Henry L. Tappan, Elbridge A. Gary, and their associates and successors, are hereby created and constituted a body politic and corporate, under the name and style of the Southern Warehouse Company, and under such name and style shall have power

Corporators.

Corporate name.

to sue and be sued by said name, shall have a common seal, with power to make by-laws for the government of its property, franchises, and business, to acquire, hold, lease and convey real and personal estate.

A. D. 1873.

Powers and privileges.

SEC. 2. Said corporation shall be authorized to take and hold, upon storage, or deposit, any description of property, to make loans on property, and to take securities, real and personal therefor: *Provided*, That nothing herein contained shall authorize said corporation to engage in or exercise the business commonly known as pawn-broking.

May take storage, make loans, &amp;c.

Proviso.

SEC. 3. The capital stock shall be fifty thousand dollars, with power to increase the same to two hundred thousand dollars, as shall be authorized by a vote of two-thirds in interest of the stockholders; such capital stock to be issued in shares of one hundred dollars each, such shares to be personal property, and to be transferable only upon the books of the corporation; and said corporation shall be authorized to commence business when twenty per cent. of the capital stock shall have been paid in: *Provided*, That the stockholders of the said Company shall be liable to the amount of their respective share or shares of stock in said company, for all its debts and liabilities, upon note or otherwise.

Capital stock.

Shares to be personal property.

Liability of stockholders.

SEC. 4. The property and business of the said corporation shall be managed and controlled by a Board of Trustees, to consist of not less than three, who shall be chosen by a majority in interest of the stockholders, at such times and places, and for such term as shall be, from time to time, fixed by the by-laws of the corporation, and who shall hold their offices until such time as their successors shall be duly elected and qualified.

Business, by whom managed.

SEC. 5. This Act shall take effect immediately and remain in force until repealed.

When to take effect.

Approved, February 26, 1873.

AN ACT TO INCORPORATE THE CAROLINA ORPHAN HOME, LOCATED IN THE TOWN OF SPARTANBURG, SOUTH CAROLINA. No. 330.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel B. Jones, R. C. Oliver, A. M. Shipp, D.D., Sidi H. Browne, S. J. Hill, Prof. Warren Dupre, J. H. Crimes, Geo. W. Williams, S. Bobo, J. L. Breden, James E. Black, L. O. Dargan and J. P. Micklen,

Corporators.



A. D. 1873.

Corporate name.

and their successors in office be, and they are hereby, created a body politic and corporate, by the name and style of the Trustees of the Carolina Orphan Home, in the town of Spartanburg, South Carolina, and by that name may sue and be sued, plead and be impleaded in any Court of this State; may have a common seal, and alter the same at pleasure, and have perpetual succession; may receive, hold and enjoy by gift, donation, purchase or otherwise, all manner of estate, real, personal and mixed, and the same to alienate, encumber and transfer at pleasure, and do all other acts and things for the purposes hereinafter expressed, not repugnant to the Constitution and laws of this State or of the United States.

Powers and privileges.

Property to be held for education, &amp;c., of orphans.

Exempt from taxation.

Rules and regulations.

Entry of a child considered an indenture.

SEC. 2. That all property held by said Trustees, in their corporate capacity, shall be held for the purpose of establishing, conducting and carrying on an Institution at Spartanburg, in Spartanburg County, to provide a home for destitute and homeless orphans, to support and educate them free, and to qualify them for usefulness and respectability in the world; and all such property, the income or use of which is used entirely and exclusively for said Orphan Home, shall be exempt from taxation.

SEC. 3. That the Board of Trustees shall annually elect its officers, and shall have power to adopt such rules and regulations as may be determined for the best interests of the Home, not inconsistent with the laws of this State; and the corporate domicile shall be at Spartanburg, in said County.

SEC. 4. That the entry of any orphan child or children, as inmate or inmates of said Orphan Home, shall, to all intents and purposes, be deemed an indenture of such child or children to said Home, so long as the care, protection, proper treatment and education, contemplated by the purposes of said Home, are guaranteed and secured to said child or children.

SEC. 5. That this Act shall continue in force until repealed.

Approved February 26, 1873.

# AN ACT TO AMEND SECTION 3, CHAPTER CXI OF THE GENERAL STATUTES.

No. 331.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three, of Chapter CXI, of the General Statutes, which requires that the Board of Jury Commissioners shall prepare a jury list in each County in the month of January of each year, be so amended as to

Jury list, when may be prepared

make it lawful for the said Board to prepare the jury list for the Counties of Lexington, Spartanburg and Edgefield, during the year 1873, before the tenth of March of said year.

A. D. 1873.

Approved February 26, 1873.

AN ACT TO INCORPORATE THE CHESTER AND LENOIR NARROW GAUGE RAILROAD COMPANY, AND TO AUTHORIZE THE CONSOLIDATION OF SAID COMPANY WITH THE CAROLINA NARROW GAUGE RAILROAD COMPANY, AND THE KING'S MOUNTAIN RAILROAD COMPANY.

No. 332.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Abraham H. Davega, John J. McLure, George W. Melton, John L. Augurs, Wm. H. Brawley, Wm. H. McCookle, Burrit T. Wheeler, Benjamin G. Yocom, John Lee, I. D. Witherspoon, J. A. Ratchford, John L. Watson, J. H. White, John Lilly, T. J. Mackey, J. M. McKay and C. C. McCoy, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of the Chester and Lenoir Narrow Gauge Railroad Company.

Corporators.

Corporate name.

SEC. 2. That the said company is hereby authorized to construct a Narrow Gauge Railroad from the town of Chester, by the way of Yorkville, to some point on the line dividing the States of North and South Carolina, in the direction of Dallas in the County of Gaston, in the State of North Carolina; and such company shall have power to receive, possess, own and transfer real and personal property and estate; to have a common seal, and to pass such by-laws, not inconsistent with the laws of this State, as may be necessary to carry out the objects of the corporation; shall be capable in law of suing and being sued, pleading and being impleaded, and shall have and enjoy all the rights of other corporate bodies under the laws of this State, and have the exclusive right to transfer and carry persons, produce, merchandise and mineral on and along such railroad at such prices as they may fix.

Line of road.

General powers.

SEC. 3. That for the purpose of creating the capital stock of the said company, which shall not exceed two millions of dollars, A. H. Davega, John L. Agurs, J. A. Ratchford, Wm. H. McCookle, B. T. Wheeler, J. H. Smith, Joseph Herndon, or any three of them, are hereby appointed Commissioners, whose duty it shall be, as soon

Capital stock.

A. D. 1873.

Books of sub-  
scription.Subscriptions,  
in what receiva-  
ble.

meeting.

Majority of  
stockholders to  
constitute a quo-  
rum.President and  
Directors — elec-  
tion and term of  
offices.Method of  
voting.Invested with  
rights and privi-  
leges conferred  
on Northeastern  
Railroad Com-  
pany.

Provis

after the passage of this Act as may be convenient, to appoint such Commissioners to open books of subscription, at such places and at such times as to them shall seem best, and under such rules as they may prescribe. The capital stock of said company to be divided into shares of one hundred dollars each, and the subscriptions thereto may be received, payable in money, land, labor or material, necessary in the construction of said road, bonds, stocks, or other valuable credits, in such manner and on such terms as may be agreed between said company and such subscribers.

SEC. 4. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, it shall be the duty of the Commissioners above named, or of any three of them, who may act, to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient, and at such times and places as they shall determine; and at all general meetings of said stockholders, not less than a majority of all the stock subscribed shall constitute a quorum for the transaction of business; and said stockholders, when so met in general meeting, shall have power to elect a President and Directors for said company, whose term of office shall be for one year, and until others are chosen. In the election of President and Directors, and in enacting such laws as may be necessary, the stockholders shall be entitled to vote as follows, viz: One vote for each share owned, not exceeding five; one vote for every two shares above five and not above ten; one vote for every four shares above ten and not above twenty; one vote for every ten shares above twenty and not above fifty; one vote for every fifty shares above fifty and not above five hundred; and one additional vote for every one hundred shares above five hundred; no fraction shall be counted making less than half a vote.

SEC. 5. Whenever the said sum of ten thousand dollars is subscribed, the subscribers, their executors, administrators and assigns shall be, and they are hereby, incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company by their charter, which was ratified December 16, A. D. 1851: *Provided*, That said railroad shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868: *Provided*, Nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1, Chapter 63, of the General Statutes of the State of South Carolina.



SEC. 6. That the said company, and the King's Mountain Railroad Company shall, upon the consent of the stockholders of each company, be consolidated and form one and the same body corporate, under the name of the Chester and Lenoir Narrow Gauge Railroad Company, possessing all the rights, privileges, powers, immunities and franchises conferred upon said companies by this Act and the several Acts heretofore passed incorporating said companies and amending the charters thereof, and that the gauge of the King's Mountain Railroad Company be changed as the stockholders may direct.

A. D. 1873.

May consolidate with King's Mountain Railroad Company.

SEC. 7. That said Chester and Lenoir Narrow Gauge Railroad Company may consolidate with the Carolina Narrow Gauge Railroad Company, a corporation chartered by the General Assembly of the State of North Carolina, (the General Assembly of this State consenting,) and form one and the same body corporate, under the name of the Chester and Lenoir Narrow Gauge Railroad Company, possessing all the right, privileges, immunities, powers and franchises herein conferred upon the Chester and Lenoir Narrow Gauge Railroad Company.

May consolidate with Carolina Narrow Gauge Railroad Company.

SEC. 8. That the affairs of the said consolidated company shall be managed and directed by a General Board, to consist of a President and eight Directors, (of whom at least four shall reside in the State of South Carolina,) who shall be elected by the stockholders at any general meeting, in the manner provided by Section four (4) of this Act, and shall hold their offices for one year and until others are elected.

Affairs to be managed by a General Board.

SEC. 9. That the question of approving the consolidation of companies herein authorized shall be submitted to a meeting of stockholders of each of the said companies, to be called by the Presidents thereof, at such time as they may think best, of which one month's public notice shall have been given in the newspapers of the towns of Chester and Yorkville; at which meetings the question shall be submitted to the decision of the respective companies, and determined in the manner provided in their respective charters for the decision of matters upon which it is necessary for stockholders to act as a company.

Question of consolidation, how submitted to stockholders.

SEC. 10. That all questions of property, debts, credits, equalization of stock and other matters of detail that may arise upon the consolidation of the companies herein authorized, shall be determined by the respective companies at the meetings hereinbefore provided for, or at adjourned meetings held subsequent thereto.

Questions of property, &c., how to be determined.

SEC. 11. That it shall be lawful for any County or town interested in the construction of the said Chester and Lenoir Railroad to subscribe to the capital stock of said company, or of any com-

Counties and towns may subscribe to capital stock.



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Property sub-  
ject to taxation.

pany with which it may consolidate or unite, such sum, and to be payable in such manner as the people or proper authorities of such County or town shall deem best, determine and authorize; and in all meetings of stockholders, the County Commissioners of the respective Counties, and the Town Councils of the respective towns, shall appoint some person to represent the stock of their respective Counties and towns: *Provided*, That the property of the said railroad company, situated in this State, shall be subject to taxation during the existence of their charter.

Approved February 26, 1873.

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No. 333. AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND SUPPORT OF A STATE NORMAL SCHOOL.

Preamble.

Whereas, the Constitution of the State of South Carolina, Article X, Section 6, declares: "Within five years after the first regular session of the General Assembly, following the adoption of this Constitution, it shall be the duty of the General Assembly to provide for the establishment and support of a State Normal School, which shall be open to all persons who may wish to become teachers; therefore,

Normal School  
to be established  
in Columbia.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be established, in the city of Columbia, a school to be called "The South Carolina State Normal School," for the training and educating of teachers in the art of instructing and governing in the public schools of this State, which shall be open to all persons who may wish to become teachers.

Regents to be  
appointed.

SEC. 2. That there shall be appointed, by the Governor, by and with the approval of the Senate, a Board of Regents, to be called the Board of State Normal School Regents, of which the Governor and State Superintendent of Education shall be *ex officio* members; this Board shall be twelve in number, two of which shall be appointed from each Congressional District, and two from the State at large. The term of office of all members of the Board of Regents, hereafter to be appointed, (except when such appointment is for an unexpired term,) shall commence on the first Tuesday of April, and shall continue for three years, and until others are appointed by law. The Board of Regents shall be divided into three classes, so that the term of office of one class shall expire each year. The

Number of.

Term of office.

To be divided  
into three classes

Governor shall have power to fill all vacancies which may occur by death, resignation or otherwise, until the next meeting of the General Assembly, or while the General Assembly is not in session; but the appointments thus made shall be confirmed by the Senate during the next preceding session.

A. D. 1873.

Vacancies, how filled.

SEC. 3. That the officers of the Board of Regents shall be a President, Vice President and Secretary; they shall, severally, hold their offices for the term of one year, and until their successors are elected, and shall perform the duties incident to their office.

Officers of Board

SEC. 4. That the Board of Regents shall hold an annual meeting, at Columbia, on the first Monday in November in each year, or at such time as may hereafter be designated by said Board. A majority of the Board shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. Special meetings of the Board of Regents may be called by the Governor or the President of the said Board, on a petition signed for that purpose by any three members of the Board. At all special meetings of the Board, two-thirds of all the Regents shall be necessary to constitute a quorum. Any Regent may be removed from office for cause, by a vote of two-thirds of the Board.

Annual meetings.

Special meetings

SEC. 5. That the Board of Regents, and their successors in office, are hereby constituted a body corporate, with the name and style of the "Board of State Normal School Regents, of the State of South Carolina," and under that name and style shall have perpetual succession, with the right to purchase, have, hold, control, possess and enjoy to them and their successors in office, in trust for the State of South Carolina, for educational purposes solely, any lands, tenements, hereditaments, goods, chattels, and effects, of whatever nature or description the same may be, which may be necessary, and required for the legitimate purposes, objects and uses of the State Normal School, authorized by this Act, and none other, with full power to sell or dispose of such personal property, or any part thereof, when, in their judgment, it shall be for the interest of the State; to make all such contracts and agreements as shall be necessary to carry into effect the purposes of this Act; to sue and be sued, to plead and be impleaded in all Courts of this State; to have and to use a common seal, and the same to change, alter or renew at pleasure; to make such by-laws and regulations as they may deem proper for the well ordering and government of said corporation, and the transaction of its business: *Provided*, The said Board of Regents shall not have the power to sell, mortgage, or dispose of, in any way, any real estate so held by them as aforesaid, without the express authority of the General Assembly of this State, nor have

General powers.

A. D. 1873.

power to borrow money; nor shall the indebtedness contracted, nor liabilities incurred by said Board of Regents ever, at any time, exceed, in the aggregate, the amount of money which, under the provisions of law, shall then be at their disposal, in the hands of the State Treasurer: *And provided, further,* That the proceeds, derived from the sale of any real or personal estate by said Board of Regents, shall be paid by them into the State Treasury, and shall become a part of the income of the State Normal School fund.

Course of study.

SEC. 6. That it shall be the duty of the Board of Regents to prescribe a course of study, and the time and standard of graduation, and to issue such certificates and diplomas as may, from time to time, be deemed suitable. Such certificates and diplomas shall entitle the holders to teach in any County in the State, for the time, and in the grade specified in the certificate or diploma, the said certificates and diplomas to be countersigned by the State Superintendent of Education.

Certificates,  
diplomas, &c.Admission of  
pupils.

SEC. 7. That at each annual meeting of the Board of Regents, they shall determine what number of pupils shall be admitted into the school, and this number shall be apportioned among the Counties of this State according to the number of Representatives from said Counties in the General Assembly: *Provided,* That teachers holding second and third grade certificates may be admitted from the State at large.

Applicants to  
undergo competi-  
tive examina-  
tions.

SEC. 8. That the County School Commissioners and the County Board of Examiners shall hold competitive examinations before the first Monday in July in each year, of all persons desiring to become pupils of the State Normal School, which examination shall be conducted in the same manner as examinations for third grade teachers' certificates. A list shall be made of the applicants thus examined, and they shall receive recommendation in the order of standing in the examination: *Provided,* That the County School Commissioners may discriminate in favor of those whose age and experience specially fit them to become Normal pupils. After the expiration of the year, a new list must be made out, and those not recommended must be re-examined or forfeit their right to recommendation.

Commissioners  
may discrimi-  
nate in certain  
cases.Applicants—age  
of males; females

SEC. 9. That, to secure admission into the junior class of the Normal School, the applicant, if a male, must be fifteen years of age; or if a female, must be fourteen years of age; to enter an advanced class, the applicant must be proportionally older. Applicants must also present letters of recommendation from their County School Commissioners certifying to their good moral character and their fitness to enter the Normal School. Before entering, all applicants must sign the following declaration: "We hereby de-

To present let-  
ters of recom-  
mendation.To sign declara-  
tion.



clare that our purpose in entering the State Normal School is to fit ourselves for the profession of teaching, and that it is our intention to engage in teaching in the public schools of this State."

A. D. 1873.

SEC. 10. That no religious test shall be required of any one connected with the State Normal School, nor shall there be any discrimination in the appointment of Regents for, or admission of pupils to, the said school on account of race, color or previous condition of servitude.

No religious  
test required or  
discrimination  
to be made.

SEC. 11. That the State Treasurer shall, by virtue of his office, be the Treasurer of the Board of Regents of the State Normal School, but the said Board shall have power to appoint suitable persons to receive and pay to the State Treasurer any tuition fees or other moneys that may be due from any student or other person.

State Treasurer  
ex officio Treas-  
urer of Board.

SEC. 12. That lectures on chemistry, anatomy, physiology, astronomy, the mechanic arts, agriculture, and on any other science or branch of literature that the said Board of Regents may direct, may be delivered to those attending said school in such manner, and upon such terms and conditions as the said Board may prescribe. That the Professors of the University of South Carolina shall, upon application of the said Board of Regents, deliver, from time to time, such lectures as shall be required, and the library of the University shall be open to, and the benefit of the same enjoyed by, the officers and pupils of the State Normal School.

Delivery of  
lectures.

SEC. 13. That the exclusive purpose of the State Normal School shall be the instruction and training of persons, both male and female, in the theory and art of teaching, and in all the branches that pertain to a good common school education; also to give instruction in the mechanic arts, agriculture, chemistry, in the arts of husbandry, the fundamental laws of the United States and this State, and in what regards the rights and duties of citizens.

Exclusive pur-  
pose of Normal  
School.

SEC. 14. That, as soon as the State Normal School is prepared to receive pupils, the State Superintendent of Education shall give notice of the fact to the County School Commissioners, and the said Board of Regents shall cause notice of the same to be published in at least one newspaper in each Congressional District, at least for thirty days.

State Superin-  
tendent to give  
notice when  
school is open  
for pupils.

SEC. 15. That the President of the Board of Regents shall make to the State Superintendent of Education an annual report, bearing date the first Tuesday in November, which shall contain a full and detailed account of the doings of said Board, and of all their expenditures, and of all moneys received, and the prospect, progress and condition of the school, and such report, together with the reports of the different Boards of Visitors, shall be transmitted to the General Assembly by the State Superintendent of Education,

Annual report,  
what to contain.

Board of Vis-  
itors.



A. D. 1873.

as a part of his annual report, and in addition to what is now required by law.

Duties of.

SEC. 16. That, after the first term, and at least once in each year thereafter, the State Normal School shall be visited by three suitable persons, not members of the Board of Regents, but to be appointed by the State Superintendent of Education, who shall examine thoroughly into the condition, organization and management of the school, and shall report to the State Superintendent of Education their views in regard to its success and usefulness, and any other matters they may judge expedient. Such Visitors shall be appointed annually, and their report shall bear date of the first Wednesday after the first Monday of November, and cover the year preceding such date. The State Superintendent of Education shall audit the account of the Visitors for expenses actually incurred in examining the said Normal School, and the sums allowed shall be paid by the State Treasurer, out of the Normal School Fund.

Accounts of  
Visitors, by  
whom audited.Regents to fit  
up portion of  
University  
buildings for  
said purposes.

SEC. 17. That the Board of Regents and the Board of Trustees aforesaid, with the State Superintendent of Education, shall, as soon as practicable after the passage of this Act, take possession of and fit up such building or buildings, with the grounds surrounding, now inclosed in what is known as the State University buildings and property, as shall be necessary to carry out the purposes of this Act; and the Board of Trustees of the University shall, on application of the Board of Regents aforesaid, surrender the same.

Annual appro-  
priation to be  
made.

SEC. 18. That there shall be an annual appropriation of fifteen thousand dollars by the General Assembly for the maintenance and support of the State Normal School, which shall be styled the State Normal School Fund, to be used solely for the purposes set forth in this Act.

Acts, how to  
be construed.

SEC. 19. That all Acts and amendments thereto shall be so construed as to enable the Board of Regents to carry out the provisions of this Act, and all Acts or parts of Acts conflicting with this Act are hereby repealed.

Approved February 26, 1873.

NO. 334. AN ACT TO AMEND CHAPTER L, SECTION 4, OF REVISED STATUTES OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter

fifty (L), Section four (4), of the General Statutes of South Carolina, be, and the same is hereby, amended by inserting at the end of the Section the following proviso: "*Provided*, It shall not be lawful for any person, resident of the sea islands, in the County of Beaufort, to allow horses or mules to run at large from the first day of April till the first day of November; nor cattle, sheep or goats, from the first day of April till the first day of December; nor hogs, from the first day of March till the first day of December."

A. D. 1873.

Horses and  
mules not to run  
at large from  
April to Novem-  
ber.

Sheep or goats,  
April to Decem-  
ber.

Hogs, March  
to December.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act, or in any way conflicting with any of its provisions, are hereby repealed.

Approved February 26, 1873.\*

AN ACT TO INCORPORATE THE PIONEER HOOK AND LADDER COMPANY, OF THE TOWN OF KINGSTREE. No. 335.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. W. Maurice, E. W. Ferris, L. Benjamin, G. P. Nelson, Phillip Heller, George H. Coleman, S. A. Swails, W. J. Lee, Louis Jacobs, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Pioneer Hook and Ladder Company, with a capital stock not to exceed five thousand dollars; with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and to use a common seal, and the same to alter at will and pleasure; and with all the rights, privileges and immunities that are secured by law to like incorporated bodies.

Corporators.

Corporate name.

Powers and  
privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force until repealed.

Approved February 26, 1873.

AN ACT TO CHARTER THE ANDERSON, AIKEN, PORT ROYAL AND CHARLESTON RAILROAD COMPANY. No. 336.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John R.

A. D. 1873.

Corporators.

Cochran, William Perry, B. D. Dean, Jeremiah Hollinshead, B. H. Nerland, Stephen Millet, H. T. Peake, Alexander Isaacs, Wm. S. Hastie, Charles Minort, R. H. Humbert, R. D. Gaither, W. A. Grant, Louis F. Spencer, Dr. John Wilson, William McGukin, John W. Daniels, W. W. Humphries, P. K. McCully, M. McCully, P. P. Hedges, J. C. Griffin, W. R. Parker, W. R. Leavel, John A. Arnold, L. F. Arnold, A. F. Clinton, Y. J. P. Owens, B. A. Thompson, W. A. Hayne, A. O. Jones, W. J. Etter, C. Smith, James A. Spencer, H. J. Maxwell, W. E. Johnston, W. B. Nash, James Brennan, C. F. North, Edward Petty, Isaac Prioleau, Julius Tingman, B. F. Jackson, E. W. Everson, John A. Barker, J. Vanderpool, Charles H. Sperry, John Wilson, J. J. Grant, James Just, E. G. Roberts, J. Woodruff, H. C. Corwin, John Boston, J. L. Boston, Cato Young, John Breazeale, Robert Tarleton, G. A. Reed, C. D. Hayne, James M. Smith, Robert Smalls, William R. Jervay, W. J. Brodie, S. E. Gaillard, L. Cain, W. H. Jones, Jr., David Harris, Sr., J. E. Green, D. R. Duncan, James L. Jamison, Everidge Cain, B. F. Whittemore, T. C. Dunn, H. A. Wideman, George Maxwell, N. T. Spencer, Isaac H. White, Thomas H. Martin, Bailey-Milford, H. W. Purvis, Samuel J. Lee, Gloster Holland, W. B. Jones, John Wilson, Frederick Nix, R. B. Artson, H. B. Johnson, Hastings Gantt, Samuel Greene, Thomas Hamilton, George F. McIntyre, A. P. Ford, Wm. Taft, J. S. Mobley, W. F. Myers, J. B. Bascomb, W. Mulligan, S. A. Swails, R. H. Cain, B. A. Bosemon, Jr., O. R. Levy, R. Bryan, S. J. Keith, W. M. Thomas, J. R. Tolbert, H. H. Ellison, Paris Simkins, David Graham, A. Simkins, Limus Simons, Joseph Crews, T. J. Webb, W. J. McKinlay, Henry Kennedy, G. T. Williams, Joseph Martin, A. P. Holmes, Samuel Johnson, David Brown, J. A. Bowley, E. E. Reise, R. W. Turner, J. J. Patterson, Sherman Smalls, B. Owens, E. E. Keys, J. M. McKay, J. Stephen, Burrell Edwards, Henry Reed, William Walker, Richmond Payton, Lawrence Walker, R. A. Sisson, and successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Anderson, Aiken, Port Royal and Charleston Railroad Company, and under that name and style shall be, and are hereby, made capable to have, purchase, hold and enjoy and retain to their successors, lands, rents, tenements, goods, chattels, and effects of whatsoever kind or quality soever, and the same to sell, alien or dispose of, to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended in Courts of Record, or any other place whatsoever, to have perpetual succession, to have and to exercise all the rights and privileges of all railroad corporations of a similar kind now existing, or hereafter to be created in this State, except the right to interfere with the chartered rights and

Corporate name.

General powers.

privileges of such corporations relative to the building and construction of roads. Said railroad company, or any of the same, shall have the right to cross any road now or hereafter constructed: *Provided*, That at such crossings there shall be suitable gates, and that the engines and cars of such road shall stop at such crossing at a point not less than one hundred feet.

A. D. 1873.

Proviso.

SEC. 2. That in addition to the rights, privileges and franchises conferred upon this company under the provisions of this Act, they shall also have authority and power, and they are hereby authorized and empowered to build and construct a railroad from the town of Anderson to the town of Aiken, by the way of the towns of Abbeville and Edgefield, with the power to build and construct a branch to connect with the Port Royal Railroad at a point on the Savannah River, at or near the town of Hamburg, in this State, with the right to unite with any road now built, or hereafter to be built, running to the cities of Charleston and Columbia, or to construct a branch from the main line for that purpose: *Provided*, That at the first meeting of the incorporators a majority must be present to transact business: *Provided, further*, That nothing herein contained shall be construed as exempting the said corporation from taxation.

Line of road.

May extend its  
road to any point  
or place in this  
State.

SEC. 3. That all Acts, parts of Acts, Joint Resolutions, or parts of Joint Resolutions, inconsistent with this Act, be, and the same are hereby, repealed: *Provided*, That work shall be commenced within three years after the passage of this Act.

Repealing  
clause.

Approved February 26, 1873.

#### AN ACT TO REGULATE THE ELECTION OF MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON.

No. 337.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act of the General Assembly entitled "An Act to incorporate Charleston," and the Acts amendatory thereof, or in any way relating thereto, as determines the time, and regulates the manner, of electing the Mayor and Aldermen of the city of Charleston, be, and the same are hereby, repealed.

Repealing  
clause.

SEC. 2. The election for Mayor and Aldermen of the city of Charleston shall be held on the first Wednesday in October, eighteen hundred and seventy-three, and forever thereafter on the same day in every second year.

Election, when  
to be held.



A. D. 1873.

Governor to  
appoint Com-  
missioners of  
Elections.

Commissioners  
to appoint Man-  
agers.

SEC. 3. For the purposes of conducting such election, it shall be the duty of the Governor, at least thirty days prior to such election, to appoint five persons, who shall constitute a Board of Commissioners of Elections for the city of Charleston. The Commissioners of Elections shall appoint three Managers of Elections for each polling place.

Oath of office.

Organization  
of Board.

SEC. 4. The Commissioners and Managers shall take and subscribe the oath of office prescribed by the Constitution, (Section 30, Article II,) filing the same in the office of the Clerk of the County. At their first meetings, respectively, the Commissioners and Managers aforesaid shall select one of their number as Chairman. The Commissioners and Managers are hereby empowered to administer all necessary oaths.

Appointment  
and qualification  
of Clerks.

SEC. 5. The Commissioners and each Board of Managers are hereby authorized to appoint a Clerk to assist them in whatever duties may be required of them; such Clerks to qualify by taking the oath of office prescribed by the Constitution.

Polls, when  
opened and clos-  
ed.

SEC. 6. The polls shall be opened at such voting place or places in each ward as may be designated by the Commissioners, at five o'clock in the morning, and close at six o'clock in the afternoon, of the day of election, and shall be kept open without intermission or adjournment, and the Managers shall administer to each person offering to vote an oath that they are residents of the city of Charleston, and are duly qualified to vote according to the Constitution of the State, and that they have not voted at any other polling place during this election. The name of each person voting shall be entered by the Clerk on the poll list.

Swearing of  
voters.

Poll list.

Character of  
ballots.

SEC. 7. The voting shall be by ballot, written or printed, or partly written and partly printed, such ballots to be either written or printed on plain white paper, without any emblem or figure on either side, or any printing or writing of any description on the back, by which the contents of the ballot may be discovered.

Counting of  
votes.

Commissioners  
to declare elec-  
tion.

SEC. 8. Immediately upon the closing of the polls, and before leaving the same, the Managers shall at once proceed to count publicly the votes and make a return of the result thereof to the Commissioners of Election. They shall, at the same time, deliver to the Commissioners the poll list, ballot boxes and ballots. As soon as the returns from all the polling places are received, the Commissioners shall meet in the City Hall or Court House and proceed to canvass the same, and to declare what persons have been duly elected. They shall have the power, and it is made their duty, to investigate and decide any protest or contest that may arise.

To decide cases  
of protest and  
contest.

Mayor and  
Aldermen, when  
to be inducted  
into office.

SEC. 9. The Mayor and Aldermen elected under this Act shall, on taking the oath of office prescribed in the Constitution, be in-

ducted into office on the third Monday in November succeeding their election, and shall immediately enter upon the discharge of their duties.

A. D. 1873.

SEC. 10. The Managers of Elections and Clerks shall receive for their services the sum of three dollars per day, for the time actually employed. The Commissioners shall approve all bills, and shall receive four dollars per day for their services. All the expenses of the election, including pay of Commissioners, Managers and Clerks, shall be paid by the city of Charleston.

Compensation.

SEC. 11. It shall be the duty of the Commissioners of Election, and they are hereby invested with all the necessary powers, to keep the peace during the whole time that the polls are kept open, and until the election is completed, and to prevent all interference with the Managers or the electors. All peace officers present at or near the polls shall carry out their instructions.

Commissioners to keep the peace, &amp;c.

SEC. 12. All statutes providing against illegal voting, or the bribery and intimidation of voters, and for the closing of bar-rooms and drinking saloons, not inconsistent with this Act, are continued in full force, so as to apply to any election held under this Act. All Acts or parts of Acts inconsistent with or supplied by this Act are hereby repealed.

Certain Acts continued of force.

Approved February 26, 1873.

AN ACT TO MAKE AN APPROPRIATION TO PAY CLAIMS ARISING UNDER THE PROCLAMATION OF THE GOVERNOR OF THIS STATE, DATED JULY TWENTY-EIGHT (28), EIGHTEEN HUNDRED AND SEVENTY-ONE (1871.)

No. 338.

Whereas the Governor of this State did, on the twenty-eighth (28th) day of July, in the year eighteen hundred and seventy-one, (1871), make and publish his official proclamation, in the following words, to wit:

Preamble.

#### PROCLAMATION.

"Whereas the peace and tranquility of certain sections of the State of South Carolina have been interrupted by assemblages of disguised men, who have assailed and injured peaceful citizens to their detriment and serious injury, involving, in many cases, atrocious murders upon quiet and and unoffending citizens.

Governor's proclamation offering rewards for arrest of murderers in disguise, &amp;c.

A. D. 1873.

"Now, therefore, be it known that I, Robert K. Scott, Governor of the State of South Carolina, in order that the parties to these murders and outrages may be apprehended and appropriately punished, do issue this my proclamation, that a reward of two hundred dollars is hereby offered for the apprehension and delivery of any and every person in any jail of this State, with proof to convict them of having aided or participated in any or either of these acts of violence and murder, or of having, in disguise, threatened the life of any one in this State. Said rewards shall be paid to any person, either military or civilian, who may be entitled to receive them by arresting the offenders against the law.

"In testimony whereof, I have hereunto subscribed my name, and caused the Great Seal of the State to be affixed, at Columbia, this 28th day of July, A. D. 1871, and in the ninety-sixth year of American Independence.

(Signed)

"ROBERT K. SCOTT,

"Governor.

[L. s.] (Signed) "F. L. CARDOZO,

"Secretary of State."

And whereas claims have arisen, and are now unsatisfied, for services rendered to the State in the arrest, prosecution and conviction of many persons described in said proclamation.

And whereas such claims are highly meritorious, having arisen in the enforcement of law and order, and the good faith of this State demands their full and prompt payment; therefore,

\$35,000 appropriated.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of thirty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the payment of claims arising under the terms of said proclamation: *Provided*, That all persons who may present and receive payment for claims allowed under the provisions of this Act, shall receipt in full for all services rendered, and all claims embraced under the proclamation cited in the preamble of this Act.

Proviso.

Governor to examine said claims, and draw warrants in favor of parties claiming rewards.

SEC. 2. The said claims shall, before payment, be submitted to, and filed with, the Governor, whose duty it shall be to examine said claims, and determine whether they are properly embraced within the terms of the said proclamation; and if he shall determine that the said claims, or any of them, are valid claims, under the terms of the said proclamation, it shall be his duty to draw his warrant upon the State Treasurer, in favor of said claimants, for the amounts to which they may be severally entitled, which warrants

shall respectively specify the case in which payment is made, and shall be countersigned by the Comptroller General, and be paid by the State Treasurer out of the funds hereby appropriated; and the State Treasurer shall make a special report to the General Assembly, at its next session, of the amounts paid, and to whom paid, under this Act.

A. D. 1873

State Treasurer to make special report of moneys paid under this Act.

Approved February 26, 1873.

AN ACT TO MAKE APPROPRIATION AND RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1872. No. 339.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and they are hereby, appropriated for the payment of the various officers and expenses of the State Government, that is to say:

*For Salaries.*

For the Governor, three thousand five hundred dollars; for the Lieutenant Governor, twenty-five hundred dollars; for the Secretary of State, three thousand dollars; for the Private Secretary of the Governor, two thousand dollars; for the Clerk to the Secretary of State, one thousand dollars; for the Adjutant and Inspector General, twenty-five hundred dollars; for the Clerk to the Adjutant and Inspector General, one thousand dollars; for the Comptroller General, three thousand dollars; for the Clerk to the Comptroller General, eighteen hundred dollars; for extra clerical services in the office of the Comptroller General, two thousand dollars; for the State Treasurer, twenty-five hundred dollars; for the Chief Clerk to the State Treasurer, eighteen hundred dollars; for a Book-keeper for State Treasurer, eighteen hundred dollars; for the State Superintendent of Education, twenty-five hundred dollars; for the Clerk to the State Superintendent of Education, one thousand dollars; for the Health Officers, five thousand one hundred dollars; for the Chief Justice of the Supreme Court, four thousand dollars; for the two Associate Justices, seven thousand dollars; for the eight Circuit Judges, twenty-eight thousand dollars; for salary for eighteen months of the Judge of the Inferior Court of Charleston County, four thousand and one hundred dollars; for the eight Circuit Solicitors, eight thousand dollars; for the Attorney General, three thou-

Salaries of Executive and Judicial officers.



A. D. 1873.

sand dollars; for the Attorney General's Clerk, one thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for the Keeper of the State House and State Librarian, one thousand dollars; for the Superintendent of the South Carolina Penitentiary, two thousand dollars; for two Watchmen of the State House and Grounds, six hundred dollars each; for the County Auditors, thirty-two thousand five hundred dollars; for the Clerk to the Auditor of the County of Charleston, one thousand dollars; for the unpaid salary of the Auditor of Aiken County, three hundred and thirty-nine dollars; for the Governor's Messenger, five hundred dollars; for the County School Commissioners, thirty-two thousand two hundred dollars.

*Executive Department.*

Contingent  
Funds of Execu-  
tive officers.

SEC. 2. For the Contingent Fund of the Governor, twenty thousand dollars; for the Contingent Fund of the Treasurer, one thousand dollars; for the Contingent Fund of the Comptroller General, one thousand dollars; for the Contingent Fund of the Attorney General, one thousand dollars; for the Contingent Fund of the Adjutant and Inspector General, one thousand dollars; for the Contingent Fund of the State Superintendent of Education, fifteen hundred dollars; for payment of the Mileage Certificates of Members of the State Board of Education, one thousand dollars, if so much be necessary; for the Contingent Fund of the Secretary of State, one thousand dollars; for the Contingent Fund of the State Librarian, five hundred dollars.

Detailed state-  
ments to be made  
to General As-  
sembly at next  
session.

The above appropriations shall be drawn by the heads of each department respectively, and they shall make to the next session of the General Assembly, on or before December 1st, a detailed statement of the various expenditures made by them under the head of Contingent Fund: *Provided*, That the statements herein required shall not apply to the Governor's Contingent Fund, but his accounts shall be examined and audited by a Committee to be appointed by the General Assembly at its present session, which Committee shall report to the next session of the General Assembly, on or before the 1st day of December, 1873.

*Judiciary Department.*

Expenses Ju-  
diciary Depart-  
ment.

SEC. 3. For the purchase of books for the Supreme Court Library, one thousand dollars, if so much be necessary, to be drawn on the order of the Chief Justice: for the contingent expenses of the Supreme Court, under Section 7 of an Act ratified the 18th day of September, 1868, six hundred dollars; for an attendant on the

Library and the rooms of the Supreme Court, five hundred dollars, to be paid quarterly, on the warrant of the Chief Justice on the Treasury, the said attendant to be appointed by and be removable at the pleasure of said Court.

A. D. 1873.

*Ordinary Civil Expenses.*

SEC. 4. For the Civil Contingent Fund, twenty thousand dollars, to be drawn on the warrant of the Comptroller General, countersigned by the Governor; and the officers of the different departments drawing upon the said Civil Contingent Fund shall, on or before December 10, at the next session of the General Assembly, make a report of the amounts they have so drawn to the General Assembly; for the purchase of books and stationery for the various County Auditors of this State, five thousand dollars; for the support of the Lunatic Asylum, seventy-seven thousand five hundred dollars, ten thousand dollars of which, or such amount as the Treasurer's books will show as yet due on the contract for the same, to be applied to the completing of the unfinished wing of the Asylum, and two thousand five hundred dollars for the payment of the architect, and five thousand dollars for heating and furnishing the new wing of the Asylum, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents: *Provided*, That not more than two-thirds of the above appropriation of ten thousand dollars shall be drawn until the work is completed according to the contract; for the support of the State Orphan Asylum, twenty thousand dollars, five thousand dollars of which to be expended for bedding, furniture and necessary repairs of the building occupied, the same to be paid in accordance with the law establishing the said Asylum; for the State Militia, twenty thousand dollars, five thousand dollars of this amount to be applied to repairs upon the State Armory, at Columbia, under the charge of the Adjutant and Inspector General, to be drawn on the warrant of the Comptroller General, on the application of the Adjutant and Inspector General; for Quarantine expenses, twenty-five hundred dollars; for the Keeper of the Lazaretto, four hundred dollars, to be drawn on the warrant of the Comptroller General, on the application of the Port Physician of Charleston; for the Physician to the Charleston Jail, one thousand dollars; for transportation and clothing of discharged convicts, three hundred dollars; for the Catawba Indians, eight hundred dollars; for the permanent printing of this session of the General Assembly, fifty thousand dollars, to be expended in accordance with an Act to provide for the publication of the Acts, Reports, Resolutions and Journals of the General Assembly; for the publication of the laws passed at the present session of

Ordinary civil expenses.

A. D. 1873.

the General Assembly, twenty-five thousand dollars: *Provided*, No contracts exceeding that amount shall be valid; for the payment of the Commissioners and Managers of Election, twelve thousand dollars, to be paid on the warrant of the Comptroller General, countersigned by the Governor; for the payment of the per diem and mileage of the members of the last General Assembly, remaining unpaid, ten thousand dollars; for deficiency of appropriation for legislative expenses, fifty thousand dollars; for the payment of the services of the Presidential Electors elected at the last Presidential election, four hundred dollars, if so much be necessary, to be paid in accordance with law; for the payment of claims passed by the General Assembly at its present session, seventy-five thousand dollars, if so much be necessary, to be paid on the certificates of the Clerks of the two Houses.

*Extraordinary Expenses.*

Appropriation  
for support and  
construction of  
Penitentiary.

SEC. 5. For the support and construction of the State Penitentiary, forty thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Superintendent.

*Educational Department.*

Appropriation  
for support of  
Common Schools

SEC. 6. For the support and maintenance of Free Common Schools, the sum of three hundred thousand dollars, from the tax levy of two mills on the dollar to be raised for educational purposes, in addition to the capitation tax: *Provided*, That the said sum of three hundred thousand dollars be apportioned among the several Counties of the State in proportion to the number of children between the ages of six and sixteen: *Provided, further*, That each County shall be entitled to the amount of the poll tax raised in said County: *And, further*, That it shall be unlawful for the Treasurer to apply any part of the sum raised by the tax levy of said two mills on the dollar to any other purpose than the support and maintenance of

Support of  
South Carolina  
University.

said schools; for the support of the University of the State of South Carolina, twenty-seven thousand eight hundred and fifty dollars, to be paid on the warrant of the Comptroller General, on the application of the President of the University; for the improvement and repairs of the Library of the University of South Carolina, two thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Chairman of the Library Committee of the Board of Trustees of the University; for the payment of outstanding warrants of the Governor on the appropriation for the support of the South Carolina Institution for the Education of the Deaf and Dumb and the Blind for the fiscal year ending Octo-



ber 31, 1871, two thousand six hundred and seventy-nine dollars, to be paid by the State Treasurer upon presentation of said warrants; for the support of the South Carolina Institution for the Education of the Deaf, Dumb and the Blind, fifteen thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Chairman and Secretary of the Board of Commissioners of the Deaf and Dumb and the Blind; for Normal School purposes, twenty-five thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents of the Normal School, five thousand dollars of which shall be appropriated for repairs of buildings to be used for Normal School purposes; for the payment of one year's interest on the bonds belonging to the Agricultural College and Mechanical Institute, the sum of eleven thousand five hundred and eight dollars, to be paid on the application of the Trustees of the said College and Institute. That the several sums herein appropriated shall be accounted for to this General Assembly at its next session, on or before December 1st: *Provided*, No officer of this State who has the right to make contracts or draw funds from these appropriations shall expend, or make a contract expending, more money than has been appropriated for such purpose by the General Assembly by this Act.

A. D. 1873.

Appropriations  
to be accounted  
for at next ses-  
sion.

Approved February 26, 1873.

AN ACT TO AUTHORIZE CERTAIN COUNTIES TO ISSUE BONDS AND  
LOAN THE SAME TO AID THE CHARLESTON, GEORGETOWN AND  
CONWAYBORO RAILROAD COMPANY.

No. 340.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties of this State, through which the Charleston, Georgetown and Conwayboro Railroad Company shall build and operate its railroad, or any branch thereof, be, and they are hereby, authorized and empowered to issue bonds and loan the same to the Charleston, Georgetown and Conwayboro Railroad Company, subject to such conditions and provisions as hereinafter mentioned.

Certain Coun-  
ties may issue  
bonds, and loan  
same to Charle-  
ston, Georgetown  
and Conwayboro  
Railroad.

SEC. 2. That the Commissioners of Election of the several Counties through which the Charleston, Georgetown and Conwayboro Railroad Company propose to build their railroad, shall order, and cause an election to be held within ninety days after receiving a request, in writing, from the Board of Directors of the Charleston,

Commissioners  
of Election to  
call election for  
such purpose.



A. D. 1873.

Manner of  
voting.

Georgetown and Conwayboro Railroad Company, asking that such an election be held, thirty days' notice of the same shall be given for the purpose of giving to the voters of the County an opportunity of voting for the granting of such aid, or against the same.

Returns of  
election.

If a majority  
vote in favor of  
aid, County Com-  
missioners to is-  
sue bonds.

Amount limited.

Preparation of  
bonds.

Said bonds,  
when may be  
transferred to  
said road.

Publication of  
transfer.

Said road to  
deliver preferred  
stock to County  
Commissioners.

The voting shall be by ballot, either written or printed, or partly written and partly printed, and shall contain the words, "Aid to the Charleston, Georgetown and Conwayboro Railroad Company—Yes;" or the words, "Aid to the Charleston, Georgetown and Conwayboro Railroad Company—No." The election shall be held, and the Managers shall make their returns in the same manner as is now provided by law for general elections. The Commissioners of Election shall, within ten days from the time of receiving the returns, forward to the Board of County Commissioners a return setting forth the entire number of votes cast, the votes for, and the votes against, granting aid to said company. If a majority of the votes cast shall be in favor of granting aid, the County Commissioners shall immediately cause bonds to be printed, the same not to exceed the sum of two thousand dollars for every mile the road is to be constructed in the County, and payable in thirty years; and upon the County Commissioners receiving the same, they shall sign, and the Clerk of the Board shall countersign, and seal the same with the seal of the Board of County Commissioners. The bonds shall then be numbered and registered in the office of the Clerk of the County. The County Commissioners shall then cause the bonds to be deposited with some banking or trust company.

SEC. 3. Whenever the said company shall actually commence the construction of said railroad within the limits and confines of any County voting aid as provided in Section 2, and shall deposit with the Treasurer of such County a bond, duly executed, with good and sufficient sureties, and approved by the Circuit Judge, in a sum sufficient to guarantee the payment of the interest on said bonds during the time the said railroad shall be under construction, the County Commissioners shall transfer the bonds to the Charleston, Georgetown and Conwayboro Railroad Company, and shall publish such transfer in the official paper of the County, and the bonds shall commence to draw interest from the date of such official commencement. Upon the completion of said railroad, the County Commissioners shall receive from the Charleston, Georgetown and Conwayboro Railroad Company, an amount of the preferred stock of the said Company equal to the amount of County bonds issued in aid of said company, the preferred stock to bear interest at one per cent. per annum more than the County bonds.

The bonds of the County shall bear interest at the rate of six per cent. per annum.

A. D. 1873.

Rate of interest.

SEC. 4. The County Commissioners shall invest the additional one per cent., received from the preferred stock, in securities, or in any safe manner whereby the same shall draw interest semi-annually, and shall continue to invest the one per cent. so received, together with the interest on the same, until a sum shall have accumulated sufficient to pay and cancel the bonds of the County issued in aid of said company, when the bonds shall be paid and cancelled. All moneys received as interest on said bonds and preferred stock, shall be held by the County Treasurer, and paid out on the order of the County Commissioners.

Investment of additional one per cent.

Treasurer to hold interest subject to order of County Commissioners.

Approved February 26, 1873.

## AN ACT TO PROVIDE FOR THE ADMINISTRATION OF DERELICT ESTATES. No. 341.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever it shall come to the knowledge of any Clerk of the Court of Common Pleas of any County in this State that the estate and effects of any deceased person, as to which administration could legally be granted by the Judge of Probate of his County, remain, for the period of six months, entirely or partially unadministered, either by reason of no application for letters of administration, or from any other cause, so that there is no legally appointed representative of such deceased person, it shall be the duty of such Clerk of the Court to make application to the Judge of Probate of the County for letters of administration on the estate of such deceased person, accompanied with a statement of the nature, condition and value of the said estate, so far as it may be known to him, and, thereupon, it shall be the duty of such Judge of Probate to insert a notice of such application, in the usual form, for forty days, in some public newspaper published in such County, or, if there be none such, in some adjoining County, and also at the door of the Court House, and, after such notice, to grant to such Clerk of the Court letters of administration on the estate of such deceased person, with the will annexed, in case there be a will, and such Clerk shall give bond, with two sureties, for the faithful discharge of his duty as such administrator, in such amount as would be required of any other administrator.

Clerk of Court may apply for administration of derelict estates.

Statement to accompany application.

Judge of Probate to publish notice of such application.

After such notice, to grant letters of administration, with will annexed.

Clerk of Court to give bond.

A. D. 1873.

Rights, powers and privileges of Clerk of Court, when letters of administration are granted.

Fees.

To keep official record of inventory, appraisement, &c.

Record to be submitted to Circuit Judge.

Right to hold and dispose of effects of deceased persons.

SEC. 2. That, upon the grant of such letters of administration, such Clerk shall be entitled to all the rights, powers and authorities, and shall be subject to the same duties and obligations and responsibilities, in relation to said estate and the administration thereof, as are now provided by law in case of administrators, and shall be entitled to five per centum of all moneys collected by him, and, in addition to the filing an inventory, appraisement and account in the office of the Judge of Probate, shall also keep an official record of the same, and all his proceedings therein, in his own office, which shall be submitted at each term of the Court to the Circuit Judge; and the said Clerk shall have the right to possession of any of the goods and chattels of such deceased person, and may, by authority of the Judge of Probate, sell and dispose of the same; and any sale so made, in pursuance of such order, shall be good and valid, to all intents, as if regularly made by any other administrator.

When letters of administration granted to Clerk may be revoked.

Such revocation not to impair acts of Clerk legally done.

SEC. 3. That whenever, after the grant of such letters of administration to such Clerk, any other person who would be entitled to letters of administration on such estate, as specially designated by law, shall apply to the Judge of Probate of the County granting the same, and be ready to give the required security, the letters of administration previously granted to such Clerk shall be revoked, and the same be granted to such person so applying for the same; but such revocation shall in no wise be held to annul or impair any act legally done or right acquired previously under or by virtue of such administration.

Approved February 26, 1873.

No. 342. AN ACT TO ENCOURAGE AND PROVIDE FOR THE INCORPORATION OF AGRICULTURAL AND MECHANICAL SOCIETIES AND ASSOCIATIONS FOR THE PROMOTION OF THE ARTS AND SCIENCES.

Incorporation of Agricultural and Mechanical Societies.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That seven or more persons within this State, having associated themselves by agreement, in writing, for the promotion of agriculture, mechanics and other industry and ingenuity, and for the encouragement of the arts and sciences, or for any of these purposes, under any name by them assumed, and upon complying with the provisions of this Act, shall, with their successors, be deemed a body politic and corporate.



SEC. 2. The purposes of such corporation, and the place where it is established and located, shall be distinctly specified in its articles of association, which articles, and all amendments thereto, shall be recorded in the office of the Register of Mesne Conveyance for the County wherein such place is situated, and such corporation shall appropriate its funds to no other purposes.

A. D. 1873.

Articles of association—what to specify, and where to be recorded.

SEC. 3. Such corporation shall have perpetual succession of officers and members, and a common seal, with power to change, alter, break and make new the same, as often as it shall judge expedient, and it shall be capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors and assigns, in perpetuity, real or personal estate, or both, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value one hundred thousand dollars; and the same, or any part thereof, to sell, alien, devise or exchange, whenever such corporation may deem proper.

Powers and franchises.

SEC. 4. Such corporation shall be liable and capable to sue and be sued, implead and be impleaded, in any of the Courts of this State of appropriate jurisdiction; but no stockholder in such corporation shall be liable for any of the debts or liabilities of such corporation beyond the amount of his share or shares therein.

Liability of stockholders.

SEC. 5. Such corporation shall be competent to make all such by-laws and rules for its government and operations as may, from time to time, be deemed necessary, not repugnant to the laws of the land: *Provided*, That the same are made by such majority or quorum as may, by the laws of such corporation, be declared competent to make the same.

Rules and by-laws.

SEC. 6. Such corporation may hold fairs and exhibitions, at stated or occasional periods, and may establish regulations, for the preservation of good order, at such fairs or exhibitions, consistent with the laws of the land.

May hold fairs and exhibitions.

Approved February 26, 1873.

## AN ACT TO AMEND THE LAW RELATING TO THE COLLECTION OF TAXES.

No. 343.

Whereas, by an Act of the General Assembly, approved January 16th, 1873, the Comptroller General, with the approval of the Governor, has been authorized to extend the time for the payment and collection of taxes for the fiscal year commencing November 1st, 1872, for such time as may be necessary therefor; and whereas, it

Preamble.



A. D. 1873.

is provided by law that the officer charged with the assessment and collection of taxes shall, after the period limited and specified, affix penalties for the non-payment of said taxes within those periods, and advertise and sell all lands upon which the taxes shall not have been paid before a time specified; therefore,

Comptroller General, with approval of Governor, may extend time before penalty attaches

Advertisement of delinquent lands, &c.

Such action legalized.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases where the Comptroller General, with the approval of the Governor, may have extended the time for the payment and collection of taxes, it shall be lawful for the said Comptroller General, with the like approval, to extend the time wherein the penalty or penalties shall attach, and also the time when the advertisement and sale of such delinquent lands may be made, so as the same may conform, as near as may be, to the period fixed by law, and all advertisements and sales made in accordance with the instructions of the said Comptroller General, and all Acts done, or required to be done, by any officer charged with any duties required in the collection of taxes or connected therewith, by virtue of such authority, shall be, in all respects, as legal, and shall have the same force and effect as if the said Acts had been done and duties performed within the period now fixed and specified by law.

Approved February 26, 1873.

#### NO. 344. AN ACT TO INCORPORATE THE EDGEFIELD COTTON AND WOOLEN MANUFACTURING COMPANY.

Corporators.

Corporate name.

Objects of corporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George C. Robinson, Samuel J. Lee, C. D. Hayne, John Lyons, M. A. Ransom, P. R. Rivers, Robert R. Reed, Alexander Phillip, Lawrence Cain, Z. W. Carwile, C. R. Stone, B. W. Lawton, and their associates and successors and assigns, be, and the same are hereby, made and created a body politic and corporate in law, by the name of the Edgefield Cotton and Woollen Manufacturing Company, for the purpose of manufacturing and finishing all goods of which cotton or wool may form a part, as well as all machinery used for such purposes, and for the transaction of such business as may be necessarily connected therewith, and may erect such mills and other works as may be necessary or required to carry on such branches of manu-

facture, and shall have a capital of one hundred thousand dollars, in shares of ten dollars each.

A. D. 1873.

SEC. 2. That said corporation may purchase and hold real estate, such as may be required for the purposes thereof, or such as they may be obliged or deem it for their interest to take in the settlement of any debts due the said corporation, and may dispose of the same; may sue and be sued in all Courts of this State; may have and use a common seal, and make such by-laws for their regulation and government as they may think proper: *Provided*, The same are not inconsistent with the Constitution and laws of the United States and of this State.

General powers.

SEC. 3. That said corporation shall have the right to erect a dam across the Savannah River, below the mouth of Stevens' Creek, in the County of Edgefield, terminating on the opposite side of said river at any point not exceeding one thousand yards below the mouth of Red Creek: *Provided*, There shall be left in said dam fish ways for the free passage of migratory fish.

May erect dam across Savannah River.

SEC. 4. That said corporation may go into operation whenever a majority of the stockholders may determine, and after one month's public advertisement in the newspaper published in the County of Edgefield, to be designated by the President.

When may go into operation.

SEC. 5. That George C. Robinson, Samuel J. Lee, M. A. Ransom and Robert R. Reed, may open books and take subscriptions for the capital stock in such manner as they may deem expedient, at such times and places as they may designate in a public advertisement; and the stockholders, having had two weeks' public notice in a newspaper published in the vicinity of the establishment, may meet and proceed to elect such Directors and other officers as they may deem necessary for conducting the affairs of the company, which Directors shall elect a President from among their number; all of such Directors and officers to hold their offices until their successors shall be elected, and to receive such compensation as the stockholders, at each annual election, shall determine.

Books of subscription.

Election of officers.

Term of office.

SEC. 6. The officers of the company shall submit annually to the stockholders a written statement of the affairs of the company.

Annual statement.

SEC. 7. That this Act shall be deemed a public Act, and shall continue in force twenty-five years.

Approved February 27, 1873.

A. D. 1873.

No. 345.

## AN ACT TO INCORPORATE THE PALMETTO TRAMWAY AND STEAM MILL COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David Risley, Warren K. Heston, and F. L. Gunn, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of the Palmetto Tramway and Steam Mill Company, and by such title shall have a corporate existence for the term of twenty years; and may sue and be sued, plead and be impleaded in every proper Court of the State of South Carolina; and may have and use a common seal, which it may change or alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying estate, real, personal, and mixed, and other property, and acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government not inconsistent with the laws of the State of South Carolina and with the United States.

SEC. 2. That the said company be, and are hereby, authorized and empowered to construct, maintain and operate one or more tramways on either bank of the Pee Dee River, or its tributary streams, at any point above Bull Creek; on Black River, at any point above Brown's Ferry; on Santee River, at any point above Hume's Ferry. That the said tramways shall be used and operated by steam, horse or any other motive power, and of any width of gauge whatever, not exceeding five feet in width. That the said tramways shall be laid with wooden rails, tram rails, or the common edge rails, usually used in laying railroads. The said tramways shall be used to move timber and other products of the country, and shall start from the river banks, and run back into the timbered lands: *Provided*, That no charges shall be made or collected for the transportation of passengers on the said tramways.

SEC. 3. That the said company is hereby authorized and empowered to navigate the ocean and tributary rivers, bays, creeks, and other waters, by aid of steam, or other vessels or boats, flats, or rafts for the transportation of timber, lumber, naval stores, or other produce, or merchandise, and such like; and to purchase, build, charter, maintain, use, dispose, and replace steam and other vessels, boats and flats therefor, in connection with said tramways, to be constructed by the said company.

SEC. 4. That the said company is hereby authorized and empowered to buy or construct gang and circular saw, grist, shingle and planing mills, and cotton gins, to be run by water, steam, horse or any other motive power, and to operate the same as may be necessary in their business.

SEC. 5. That the capital stock of said company shall be three hundred thousand dollars, divided into shares of one hundred dollars each; but when the sum of fifty thousand dollars shall have been subscribed and paid in, in the manner hereinafter provided, the said association may be organized and go into operation: *Provided*, That the stockholders of the said company shall be liable for the amount of their respective share or shares of stock in said company for all its debts and liabilities upon note or otherwise.

A. D. 1873.

Capital stock.

SEC. 6. That, for the purpose of raising the capital stock of said association, books of subscription may be opened by or under the direction of a majority of the corporators, at such time and places as shall be deemed to the best interest of said association. That the said books shall be kept open until fifty thousand dollars have been subscribed and paid in; and they shall give public notice of the time and place of the opening of said books, in one or more newspapers of the State.

Books of subscription.

SEC. 7. That the said David Risley, Warren K. Heston, and F. L. Gunn, shall, immediately after the subscription to the said association shall amount to fifty thousand dollars in actual cash paid in, call a meeting of the stockholders for an election of such officers as the by-laws agreed upon by said stockholders shall prescribe.

Election of officers.

SEC. 8. That subscriptions to the capital stock may be made in money, lands, bonds, timber, railroad iron, mills, machinery, mill sites, materials or labor, as may be stipulated.

Subscriptions—in what may be made.

SEC. 9. That the profits of said association may, from time to time, be divided among the stockholders, according to such rules and regulations as they may prescribe.

Division of profits.

SEC. 10. That the stock of said association may be transferred in such manner and form as may be directed by the by-laws of the association.

Stock transferable.

SEC. 11. That said tramways shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and use of railways and other works of internal improvement," ratified September 22, A. D. 1868.

Subject to provisions of certain Act.

SEC. 12. That this Act shall take effect and go into force from and after its passage.

Approved February 27, 1873.

AN ACT TO INCORPORATE THE PRESBYTERIAN CHURCH, AT ABBEVILLE COURT HOUSE, SOUTH CAROLINA.

No. 346.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the



A. D. 1873.

Corporators.

Corporate name.

Powers and  
privileges.May hold and  
dispose of prop-  
erty.

officers and members of the Presbyterian Church, now existing at Abbeville, be, and the same are hereby, incorporated and declared to be a body corporate, by the name and style of the Abbeville Presbyterian Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of fifty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall, from time to time, be agreed upon by its members, or by a majority of them.

SEC. 3. That the said corporation shall be, and are hereby declared to be, able to have, receive, retain and enjoy all such estate, real or personal, that the said corporation is now possessed of, or entitled to, or that has already been conveyed, given, devised or bequeathed to said corporation, or to any person or persons, for the use of said corporation, by or in whatever name such conveyance, release, devise, gift or bequest may have been made.

SEC. 4. That this Act shall be deemed and held to be a public Act, and shall continue in force until repealed.

Approved February 27, 1873.

No. 347. AN ACT TO ALTER AND AMEND SECTION FORTY-FIVE (45), OF CHAPTER TWENTY-FIVE (25), OF TITLE SIX (6), OF PART FIRST (1), OF THE GENERAL STATUTES, RELATING TO TRIAL JUSTICES.

All after word  
"officers" strick-  
en out.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section Forty-five (45), of Chapter Twenty-five (25), of Title Six (6), of Part First (1), of the General Statutes, be, and the same is hereby, altered and amended, by striking out all of said Section after the word "office."

Approved February 27, 1873.

AN ACT TO ABROGATE AND SINK ALL THAT PORTION OF THE  
DEBT OF THE STATE OF SOUTH CAROLINA INCURRED IN AID OF  
THE LATE REBELLION AGAINST THE UNITED STATES.

A. D. 1873.

No. 348.

Whereas Article fourteen, in amendment of the Constitution of the United States, in Section four thereof, among other things, enjoins that neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void; and whereas the Constitution of the State of South Carolina, in Article nine, Section sixteen, enjoins that no debt contracted by this State in behalf of the late rebellion, in whole or in part, shall ever be paid; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of the indebtedness and obligations whatsoever of the State of South Carolina, coming within the constitutional prohibitions aforesaid, as contracted or incurred in aid of the said rebellion, or which are covered or described by or under such prohibitions, or either of them, and all authority for incurring or assuming such indebtedness or obligations on the part of the said State, are, all and singular, hereby abrogated and declared and held to be illegal and absolutely null and void.

Indebtedness  
coming within  
constitutional  
prohibitions null  
and void.

SEC. 2. All such indebtedness and obligations of the said State as are mentioned in the next preceding Section shall be immediately dropped and excluded from the debt of this State, and shall never be reckoned with nor form any part of the same.

Such indebtedness to be  
dropped from  
debt of the State.

SEC. 3. Whoever shall violate this Act shall, on conviction, be punished by a fine of one thousand dollars, or by imprisonment in the Penitentiary for one year, or by both such fine and imprisonment, at the discretion of the Court.

Penalty for  
violating this  
Act.

SEC. 5. This Act shall take effect upon its passage.

When to take  
effect.

Approved February 27, 1873.

AN ACT TO PROVIDE FOR A SPECIAL ASSESSMENT OF TAXES IN  
AIKEN COUNTY.

No. 349.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a special

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Auditor of  
Aiken to make  
special assess-  
ment.

Taxes to be  
collected in ac-  
cordance there-  
with.

One thousand  
dollars appropri-  
ated therefor.

assessment of taxes in the County of Aiken shall be made by the Auditor of said County between the 1st day of June and 31st day of October, A. D. 1873, in the same manner as is provided for assessment of taxes in Chapter XII, Title 3, of the General Statutes of the State.

SEC. 2. That, from the completion of the special assessment, taxes shall be collected in accordance therewith.

SEC. 3. That the Auditor of the County of Aiken be, and is hereby, authorized to draw his warrants upon the Treasurer of Aiken County, for the sum of one thousand dollars, to defray the expenses of said assessment.

Approved February 27, 1873.

No. 350. AN ACT TO DECLARE A ROAD LEADING FROM THE NELSON'S FERRY ROAD TO THE MURRAY'S FERRY ROAD, IN CLARENDON COUNTY, A PUBLIC HIGHWAY.

Certain road  
declared a public  
highway.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the road recently laid out in Clarendon County, leading from Mrs. Shorter's plantation, on the Nelson's Ferry Road, by Mrs. McKnight's plantation and Davis' "Hard Run" Place, and on a direct line from thence by H. H. Lesesne's plantation, and on lines of C. F. Lesesne and G. Tucker's plantations, until it intersects the Murray's Ferry Road, between the old Prince place and Mrs. Gramon's plantation, be, and is hereby declared to be, a public highway.

Approved February 27, 1873.

No. 351. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE FORMATION OF, AND TO INCORPORATE, THE SPARTANBURG AND AIKEN RAILROAD."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize the formation of, and to incorporate the Spartanburg and Aiken Railroad," approved March 12, 1872, be amended as follows, by adding the following Sections:

"SEC. 6. That whenever the voters of any School district, through which, or within five miles of the line contemplated by said road to be run, shall meet and vote, by a two-thirds majority of all the voters, to subscribe for stock of said road, the subscription not to exceed ten per cent. of the entire valuation of the entire property of the school district, the County Auditor shall assess, and the County Treasurer collect the same from such school district, in the same manner as all taxes are assessed and collected. It shall be, and it is hereby made, the duty of the Trustees of each school district through which the line of the said road is to be run, or within five miles of the same, to call a meeting of the voters of such school district, giving at least thirty days' notice of the same in the nearest newspaper, and by posting the same in five conspicuous places in the district; and a majority of the voters of the district shall assemble, and upon voting, if two-thirds of the voters of the district shall vote to subscribe to the stock of said road, the subscription not to exceed ten per cent. of the value of the entire taxable property of the district, the School Trustees of the district shall make out a certificate of the fact, and the amount of stock subscribed, and forward the same to the Auditor of the County, within ten days of such meeting.

A. D. 1873.

School districts may subscribe stock in road.

County Auditor and Treasurer to assess and collect the same.

School Trustees to call meeting of voters of district.

Notice of meeting.

Two-thirds of voters to vote to subscribe to stock.

Amount of subscription.

Trustees to certify fact to Auditor.

"SEC. 7. The County Auditor of each County wherein any school district may subscribe to the stock of said road shall, before he returns to the Treasurer of the County the tax lists, add to the lists of the school districts making such subscription, the necessary per centum to pay such subscription, and the County Treasurer shall collect the same, in the same manner and at the same time that State and County taxes are collected, and he shall hold the same subject to the order of the School Trustees of the district from which such tax shall be collected.

Auditor to add necessary per centum to tax list.

Treasurer to collect the same.

"SEC. 8. The School Trustees shall, upon being notified by the County Treasurer of the funds in the County Treasury, belonging to the school district, immediately pay for the amount of stock subscribed, and give an order on the County Treasurer for the same, which order shall be a sufficient voucher for the disbursement of the said moneys. The School Trustees shall deposit such stock in some National Bank in the State, and shall have control of the same; and the said Trustees shall, before having control of said funds or stock, give a bond, with two or more good and sufficient sureties, for double the amount of taxes collected in their district, to their respective school districts; conditioned upon the faithful discharge of the duties required of them in this Act."

Trustees to give order on Treasurer to pay for stock.

Such order to be voucher.

Stock to be deposited in National Bank.

Trustees to give bond.

Approved February 27, 1873.



A. D. 1873.

No. 352.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE BEAUFORT RAILROAD COMPANY, IN THE TOWN AND COUNTY OF BEAUFORT."

May lay tracks  
anywhere in the  
County and op-  
erate same.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Beaufort Horse Railroad Company are further authorized to lay railway tracks to such places in Beaufort County, as they may deem proper, and operate the same by horse power, or any other motive power.

Manner of ac-  
quiring right of  
way.

SEC. 2. The said company shall have power, for the aforesaid purpose, to take and hold any estate or property, real or personal, that may be necessary, and shall be invested with such powers as are provided under the Act of the General Assembly of the State of South Carolina, passed September 22, 1868, and entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways."

Capital stock.

Liability of  
stockholders.

SEC. 3. That the capital stock of said company may be increased to such further sums as may be found necessary for the purposes aforesaid: *Provided*, That the stockholders of the said company shall be liable, to the amount of their respective share or shares of stock in said company, for all its debts and liabilities upon note or otherwise. The books and accounts of said company shall be open to inspection, under such regulations as may be prescribed by law."

May issue  
bonds, &c.

SEC. 4. The said company shall have power to borrow money, to issue bonds or other evidences of indebtedness so created, and secure the payment of the same by mortgage of its property.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved February 27, 1873.

No. 353. AN ACT TO PREVENT THE OBSTRUCTION OF HARBORS AND NAVIGABLE STREAMS IN THIS STATE, BY THE DISCHARGE THEREIN OF BALLAST OF STONE, DIRT AND OTHER HEAVY MATERIALS.

Discharging  
ballast of stone,  
dirt, &c., in nav-  
igable streams, a  
misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any owner or master of any vessel navigating the waters of this State, who shall discharge, or cause, or permit to be discharged, from said vessel,

any ballast of stone, dirt or other heavy material, into any harbor, bay, or navigable stream of this State, whereby the navigation, thereof is hindered or obstructed, or is likely to hinder or obstruct the navigation, shall be held to be guilty of a misdemeanor, and, upon conviction thereof, shall, for the first offence, be imprisoned in the County jail for a period not less than ten days, or more than thirty days, or a fine of not less than twenty dollars, or more than one hundred dollars; and for the second offence, shall be imprisoned for not less than sixty days, nor more than one year, or fined not less than one hundred dollars, nor more than five hundred dollars, or both, at the discretion of the Court. One-half of said fine shall go to the informer, and the balance to the Treasury of the County wherein the offence was committed.

A. D. 1873.

SEC. 2. That this Act shall take effect six months after the passage thereof, and it shall be the duty of all harbor masters to notify all masters of vessels coming into their respective ports, of the provisions of this Act, and where there is no harbor master, the Chairman of the Board of Pilot Commissioners shall notify the masters of vessels.

Duty of Harbor  
Masters to notify  
Masters of ves-  
sels.

Approved February 27, 1873.

AN ACT TO AMEND SECTIONS NINETEEN AND THIRTY-THREE OF CHAPTER XVIII OF TITLE VI OF THE ACT ENTITLED "AN ACT FOR REVISING AND CONSOLIDATING THE GENERAL STATUTES OF THE STATE," RELATING TO THE BOUNDARIES OF LANCASTER AND YORK COUNTIES. No. 354.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section nineteen (19) of Chapter XVIII of Title VI of the Act entitled "An Act for revising and consolidating the General Statutes of the State," be, and the same is hereby, amended by adding after the words "Catawba River," in the second line, the words "and Big Sugar Creek, from the point where it enters into said river."

Boundary line  
of Lancaster and  
York defined.

SEC. 2. That Section thirty-three (33) of said Act be amended by striking out the words "from which it is separated by the Catawba River," in the last line, so that the Section will end with the words "North Carolina line."

Approved February 27, 1873.

A. D. 1873.

No. 355.

## AN ACT TO CHARTER THE GREENVILLE AND GAP CREEK TURNPIKE COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Solomon Jones, W. B. Johnson, William E. Earle, A. Blythe, Thomas C. Gower, Alexander McBee, John N. Greer, J. H. Cleveland, A. D. Hoke and M. J. Bearden, together with such persons as are now, or may hereafter be, associated with them, be, and they are hereby, constituted and made a body corporate and politic, by the name and style of the Greenville and Gap Creek Turnpike Company; and, under such name and title, are authorized to build a turnpike road from the city of Greenville to the State line on the Gap Creek Road, under and in pursuance of the provisions of the General Statutes in such cases made and provided, to erect one or more gates on the same for the collection of toll, and to charge the same tolls as are now authorized by law to be collected by the Jones' Gap Turnpike Company, in proportion to the lengths of the two roads.

Corporators.

Corporate name.

May erect gates and collect toll.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue of force until repealed.

Approved February 27, 1873.

## No. 356. AN ACT TO PROVIDE FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF GEORGETOWN COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Georgetown County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar, on all the taxable property of said County, for the fiscal year commencing November 1st, 1873, and continue the collection of the same each succeeding year, until the sum of ten thousand (10,000) dollars shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said County of Georgetown.

Two mills tax for past indebtedness.

When to be collected.

SEC. 2. That the said tax shall be levied and collected at the same time the general State tax is being levied and collected.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 27, 1873.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND AN ACT ENTITLED 'AN ACT TO INCORPORATE THE VILLAGE OF MARION,' AND FOR OTHER PURPOSES THEREIN MENTIONED."

A. D. 1873.

No. 357.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three of an Act to alter and amend an Act entitled "An Act to incorporate the village of Marion, and for other purposes therein mentioned;" approved March 26, 1869, be amended by adding the following at the end of the Section: "*Provided*, That the Managers shall administer to each person offering to vote, at any election held under this Act, an oath that he is qualified to vote at this election, according to the Constitution of this State, and that he has not voted during this election;" that Section four of same Act be amended by inserting, after the word "forthwith," on the fourth line of the Section, and before the word "count," on the fifth line, the word "publicly."

Managers to administer oaths to voters.

"Publicly" inserted.

Approved February 27, 1873.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO OPEN AND KEEP IN REPAIR A PUBLIC ROAD RUNNING FROM THE MONKS' CORNER ROAD, AT LEWISVILLE, TO THE BELLVILLE ROAD, NEAR BUTLER'S MILL.

No. 358.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and directed to open and keep in repair a public road running from the Monks' Corner Road, at Lewisville, to the Bellville Road, near Butler's Mill, in said County.

Public road opened.

Approved February 27, 1873.

AN ACT TO PROVIDE FOR AN ASSESSMENT OF REAL PROPERTY IN THE YEAR 1873.

No. 359.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an assessment of the real property in this State shall be made in the year

Assessment of real property provided for.



A. D. 1873.

one thousand eight hundred and seventy-three (1873) at the same time that the assessment of personal property is made, and in the manner, and according to the rules prescribed for the assessment of real property in Chapter XII of Title III of the General Statutes.

Comptroller  
General to adopt  
measures there-  
for.

SEC. 2. The Comptroller General is hereby authorized and directed to adopt the measures necessary to carry out the intent of this Act, and to exercise, for the purpose of making and completing the assessment provided for in this Act, all the powers relating to the assessment of real property conferred upon him by the Chapter of the General Statutes hereinbefore cited.

Approved February 27, 1873.

No. 360. AN ACT TO INCORPORATE THE NEWBERRY COTTON MILLS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wallace A. Cline, William G. Mayes, Emanuel S. Coppock, Andrew J. Longshore, John B. Carwile, James A. Crotwell, John McCairly, Sampson C. Merchant, William C. Parker, Christian H. Suber, Reuben S. Chick, John O. Peoples, Allen Johnson and Henry Wheeler, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of "The Newberry Cotton Mills," for the purpose of manufacturing, dyeing, printing and finishing all goods of which cotton, wool, or other fibrous articles, may form a part, as well as all machinery used for such purposes, and for the transaction of such business as may be necessarily connected therewith; and may erect such mills and other works as may be required to carry on such branches of manufacture; and they shall have power to raise, by subscription, in shares of one hundred dollars each, a capital of three hundred thousand dollars.

Corporators.

Corporate name.

Objects of corporation.

Capital stock.

General powers

SEC. 2. That the said corporation may purchase and hold such real estate as may be required for the purpose of said corporation, or so much as they may be obliged or deem it for their interest to take into the settlement of any debts due the said corporation, and may dispose of the same, and may sue and be sued, plead and be impleaded, in all Courts of law and equity, may have and use a common seal, and make such by-laws for their regulation and government as they may see proper: *Provided*, They are not incon-

sistent with the Constitution and laws of the United States and of this State.

A. D. 1873.

SEC. 3. That the said corporation may organize, go into operation and commence business whenever and as soon as one hundred thousand dollars to said stock shall be subscribed for, and twenty dollars per share of the same paid into the treasury of said corporation, in cash; and a certificate, signed by the President and Secretary of said corporation, under oath, setting forth said subscription and payment, shall be filed in the office of the Secretary of State.

When may  
commence opera-  
tions.

Certificate to be  
filed with Secre-  
tary of State.

SEC. 4. The members of said corporation shall be liable, jointly and severally, for all debts and contracts made by such corporation, until the whole amount of capital stock which may be subscribed, as aforesaid, shall have been actually paid in; and no note or obligation given by any stockholder, whether secured by pledge of the stock in such corporation or otherwise, shall be considered as payment of any part of the capital stock until such notes or obligations shall have been actually paid.

Liability of  
members.

SEC. 5. That the capital stock shall be deemed personal property, and be transferable upon the books of the said corporation; and no part of said capital stock shall, at any time, or upon any pretense whatever, be loaned to or divided amongst the stockholders; neither shall the capital be withdrawn or divided among the stockholders, until all the liabilities of the corporation are lawfully paid; and no dividends shall be declared, except from the earnings of the corporation. Each stockholder shall have one vote for each share he may own or represent at the election of Directors, and all meetings of the company.

Capital stock  
personal prop-  
erty.

When dividend  
may be declared.

Manner of vo-  
ting.

SEC. 6. That, if the proprietor of any share shall neglect to pay any installment assessed thereon for thirty days after the time appointed for the payment thereof, the Treasurer of the corporation may, by order of a majority of the Directors, sell, at public auction, such number of delinquent shares as may be necessary to pay such assessment: *Provided*, That such sale be advertised, for three weeks successively, in some newspaper published in Newberry County; and a bill of sale by the President of said corporation shall transfer such shares to the purchaser, and entitle him to a certificate thereof.

Upon failure to  
pay instalment,  
shares to be sold.

Proviso.

SEC. 7. That Wallace A. Cline, Wm. G. Mayes, John B. Carwile and John O. Peoples may open books and take subscriptions for the capital stock in such manner as they may deem expedient; and when the sum of fifty thousand dollars shall be subscribed, the stockholders, after two weeks' notice published in some newspaper in the County of Newberry, may meet and elect a President, Di-

Commissioners  
to take subscrip-  
tion.

A. D. 1873.

rectors, and such other officers as they may deem necessary to conduct the business of the corporation.

Annual statements.

SEC. 8. That the Directors shall submit to the stockholders, annually, a written statement, under oath or affirmation of the Treasurer of the corporation, of the amount of the capital stock paid in, the assets of the company, and its debts; which statement shall be published in some newspaper in the County of Newberry.

Debts not to exceed paid up capital.

SEC. 9. That the total amount of the debts of said corporation, at any time, shall not exceed the amount of the capital stock actually paid in; and, in case of excess of debts over amount of stock paid in, the Directors, under whose administration it shall happen, shall be jointly and severally liable in their natural capacities; and such Directors as shall be absent at the time such debt in excess shall be contracted, shall be exonerated therefrom, provided they forthwith give notice of the fact to the stockholders, at a general meeting, which such Directors shall have power to call for that purpose.

Treasurer of Newberry to pay "bonus" to corporation.

SEC. 10. That a bonus, equal to the amount of the State and County tax upon the assessed value of the improvements and machinery of said corporation, be paid to the Treasurer of said corporation, by the Treasurer of Newberry County, on the first Monday in February of each and every year, for a period of ten years from the passage of this Act.

SEC. 11. This Act shall be deemed a public Act, and continue of force for twenty years.

Approved February 27, 1873.

## NO. 361. AN ACT TO INCORPORATE THE PEE DEE AGRICULTURAL AND MECHANICAL ASSOCIATION.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James C. Coit, James A. Petesttin, W. D. Crossland, N. C. McKinnon, S. W. Evans, John Robison, R. M. Pegues, W. D. Evans, John W. Witherspoon, A. McQueen, W. L. J. Reid, George D. Mallay, James H. Powe and S. G. Godfrey, and their associates and successors, be, and are hereby declared to be, a body corporate and politic in law and in deed, by the name of the Pee Dee Agricultural and Mechanical Association, and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change the same as often as the said corporation shall judge expedient; and

Corporate name.

the said corporation shall be liable and capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself, and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value fifty thousand dollars; and the same, or any part thereof, to sell, alien, devise or exchange, as often as the said corporation may deem proper, and, by its name, to sue and be sued, implead and be impleaded, answer and be answered in any Court of law in this State, and to make all such by-laws and rules for the government of said corporation as may, from time to time, be deemed necessary: *Provided*, Such by-laws and rules be not repugnant to the laws of the land: *Provided, further*, That the real and personal property of each corporator shall be liable for the debts of said corporation, or assigns, in any amount not exceeding the par value of the stock held by them.

A. D. 1873.

Powers and  
privileges.Liability of cor-  
porators.

SEC. 2. That the principal end of the said corporation shall be the promotion of agriculture, mechanical arts, and other industry and ingenuity, through an annual fair, to be held in the County of Chesterfield, and other appropriate measures, according to such rules and regulations as they may see fit to establish.

Objects of cor-  
poration.

SEC. 3. The members of said corporation shall be severally liable for all debts and contracts of said corporation, only to the extent and amount of their respective shares therein; and the capital stock of the said corporation shall not be less than five thousand dollars nor more than fifty thousand dollars.

Capital stock.

SEC. 4. That the property and stock of the said corporation shall be exempted from State, County and municipal taxation so long as no dividends shall be declared and distributed among its members.

Property ex-  
empt from taxa-  
tion.

SEC. 5. That this Act shall be deemed a public Act, and shall be taken notice of in all the Courts of this State without being specially pleaded, and shall continue in force until repealed.

Approved February 27, 1873.

# AN ACT TO INCORPORATE THE WINYAH BAY AND SANTEE RAIL-ROAD COMPANY.

No. 362.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. W. Ferris, W. H. Dorril, S. A. Swails, B. F. Wickersham, M. J. Hirsch, W. H. Jones, Jr., Phillip Heller, and James A. Bowley, and their

Corporators.



A. D. 1873.  
 Corporate name. associates and successors, are hereby constituted a body politic and corporate, by the name and style of the Winyah Bay and Santee Railroad Company.

Line of road. SEC. 2. That the said company is hereby authorized to construct a railroad from the town of Georgetown, in the State of South Carolina, in nearly as direct a line as possible (the distance not to exceed forty miles) to the Santee River.

Commissioners to take subscriptions. SEC. 3. That for the purpose of raising the capital stock of the said company, it shall be lawful to open books in the town of Georgetown under the direction of W. H. Dorril, W. H. Jones, Jr., and B. F. Wickersham, and in the city of New York, under the direction of three Commissioners, to be hereafter appointed by the incorporators hereof, for the purpose of receiving subscriptions to an amount not exceeding two hundred and fifty thousand dollars, in shares of one hundred dollars each, said subscriptions to be expended to and for the sole use in constructing the railroad provided for by this Act, and to and for its uses.

Time and place of making subscriptions. SEC. 4. That the time and places for receiving such subscriptions shall be hereafter fixed by a majority of the incorporators herein named, and, prior to the opening of the books, public notice shall be given, through advertisement, in one or more papers, for the space of thirty days, and the books, when opened, shall be kept open for sixty days, at each of the places where the same shall be opened.

Subscribers to pay ten dollars on each share. SEC. 5. That on each share of the stock subscribed to, the subscriber shall pay to the Commissioners receiving such subscription the sum of ten dollars, who shall deposit the same in some National Bank, and no subscription shall be valid without such payment; and at the expiration of the time herein prescribed for keeping open the books, the said Commissioners shall make a return of the subscriptions taken by them, and the sums paid thereon, to a Financial Board to be hereafter chosen by the within named incorporators.

When may meet and organize. SEC. 6. That when the sum of fifty thousand dollars shall be subscribed in the manner herein prescribed, the said company may meet and organize, at such time and place as may be designated by a majority of the Commissioners herein named for the town of Georgetown, due notice being previously given.

Invested with powers conferred on N. E. R. R. SEC. 7. That, for the purpose of organizing and going into operation, this company shall have all the powers conferred by the original charter of the Northeastern Railroad Company on the Commissioners therein named, and the same are hereby vested in the incorporators named in this Act, each subscriber being entitled to a vote for each share of stock held by him or her: *Provided*, That nothing herein contained shall be construed so as to

exempt the said company from the payment of taxes, or to pledge, by way of endorsement or otherwise, the credit or the funds of the State of South Carolina, in aid of the construction of said road: *Provided, further*, That nothing herein contained shall be so construed as to exempt the said company from the provisions of Section 1, Chapter LXIII, of the General Statutes.

A. D. 1873.

Not exempt  
from payment of  
taxes.

SEC. 8. That said company shall put in good and sufficient draws, and shall construct necessary stations and turn-outs, with one or more tracks to the road, and may co-operate with such road or roads as may have been already or may be hereafter chartered by the State of South Carolina, forming but one road at their discretion: *Provided*, That the said road shall be commenced within two years and completed within seven years after the passage of this Act, or the charter thereof shall be forfeited: *And provided, further*, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands of persons or corporations, may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868.

Draws and  
turn-outs.

Proviso.

Subject to pro-  
visions of certain  
Act.

Approved February 27, 1873.

## AN ACT TO INCORPORATE THE SHERMAN RIFLES, OF EDGEFIELD COUNTY. No. 363.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Isham Raiford, Fate Coates, Joseph Walker, March Harrison, and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Sherman Rifles," with all the powers now granted to or vested in such like corporations by law, to sue and be sued, plead and be impleaded, in any of the Courts of the State, and to have a common seal, to alter at will, and make such rules and by-laws as are not repugnant to the laws of the land.

Corporators.

Corporate name.

Powers and  
privileges.

SEC. 2. This Act shall be taken and deemed a public Act, and to remain in force until repealed.

Approved February 27, 1873.

A. D. 1873.

No. 364.

AN ACT TO INCORPORATE THE NEWBERRY AND CHESTER  
RAILROAD COMPANY.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. G. Mayes, J. M. Baxter, D. R. Phifer, J. D. Boston, T. F. Harmon, R. L. McCaughrin, J. P. Pool, B. J. Ramage, H. C. Corwin, George W. Melton, Wm. H. Brawley, John Lee, C. C. Macoy, J. L. Agurs, John Lilly, and B. G. Yocom, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of the "Newberry and Chester Railroad Company."

**SEC. 2.** That the said company is hereby authorized to construct a railroad from the town of Newberry to the town of Chester, of whatsoever gauge, and on what line may be practicable, and for the purpose of raising the capital stock of the said company, which shall not exceed two millions of dollars in shares of fifty dollars each, books may be opened in the town of Newberry, by R. L. McCaughrin, W. G. Mayes and H. C. Corwin, and in the town of Chester, by John L. Agurs, John J. McClure and Wm. H. Brawley, at such times as they may think best, of which due public notice shall be given by advertisement in the newspapers of the respective Counties through which said road may pass.

**SEC. 3.** That on each share of stock subscribed, the subscriber shall pay to the Commissioners receiving such subscription the sum of five dollars, and when the sum of twenty-five thousand dollars shall be subscribed, the said company may meet and organize at such time and place as may be designated by a majority of the Commissioners herein named, due notice having been first given of the time and place of such meeting in newspapers published in the County of Newberry and the County of Chester.

**SEC. 4.** That for the purpose of organizing and forming this company, all the powers conferred by the charter of the Northeastern Railroad Company, on the Commissioners therein named, shall be vested in the Commissioners named in this Act; all the powers, rights and privileges granted by the charter, and the amendments thereto of the Northeastern Railroad Company to that company, shall be, and the same are hereby, granted to the Newberry and Chester Railroad Company, subject to the conditions therein named, except as to the amount of capital stock, the sum necessary to authorize organization, and, except so far as the special provisions of this Act may otherwise require the same to be modified or varied: *Provided*, That said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands, or the

right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22d, Anno Domini, 1868: *Provided, further*, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes, or to exempt them from the provisions of Section 1, Chapter LXIII of the General Statutes; and such company is hereby further authorized to receive subscriptions to its capital stock in lands or labor as may be agreed upon between said company and such subscribers.

A. D. 1873.

Proviso.

Capital stock,  
in what receive-  
ble.

SEC. 5. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, This road shall be commenced within three years and completed within seven years from the passage of this Act.

Approved February 27, 1873.

## AN ACT TO INCORPORATE THE MOULTRIEVILLE RAILROAD.

No. 365.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. Frazer, and his associates, be, and they are hereby declared to be, a body corporate, under the name and style of the Moultrieville Railroad Company, with full power and authority to construct a railroad from any point or points near the steamboat landing on Sullivan's Island, to any point or points in the interior of said island.

Corporators.

Corporate name.

Line of road.

SEC. 2. That the capital stock of the said company shall be twenty-five thousand dollars, in shares of one hundred dollars each, and the said company shall not commence the work of building said road until at least one-half of its capital stock shall have been paid in cash.

Capital stock.

SEC. 3. That the said railroad company shall have full power and authority to construct their road along any of the streets of the said town of Moultrieville.

May construct  
road along the  
streets.

SEC. 4. That this Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, That the railroad herein provided for shall be commenced within two years from the

Proviso.



A. D. 1873.  
 Liability of  
 stockholders.

Books open to  
 inspection.

passage of this Act: *Provided, further,* That the stockholders of the said company shall be liable, to the amount of their respective share or shares of stock in said company, for all its debts and liabilities, upon note or otherwise. The books and accounts of said company shall be open to inspection, under such regulations as may be prescribed by law.

Approved February 27, 1873.

No. 366. AN ACT TO INCORPORATE THE GRAND LODGE OF ABSTINENCE,  
 OF THE STATE OF SOUTH CAROLINA.

Corporators.

Corporate name.

Powers and  
 privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Isaac A. Givens, E. P. Stoney, Henry Vaus, John C. Ford, Thomas S. Ford and Wm. T. Comack, and all others who now are, or may hereafter become members of the Grand Lodge of Abstinence, be, and they are hereby, incorporated by the name of the Grand Lodge of Abstinence, of the State of South Carolina, and by that name shall have capacity to sue and be sued, plead and be impleaded, in any and all of the Courts of this State; to contract and be contracted with, to have a common seal, and to alter the same at pleasure. And the said Grand Lodge, through its officers, shall have perpetual succession, and may grant dispensations and charters to subordinate Lodges, to be subject to, and under its jurisdiction, and make, ordain and establish its constitution, by-laws, rules and regulations, not inconsistent with the Constitution or laws of this State, or of the United States; and may acquire, hold and enjoy so much real estate as may be necessary for the erection of proper buildings and offices, not to exceed ten acres, for carrying on and conducting its business, and in the erection of its Lodge Room; may erect store rooms or offices in the lower stories thereof, and rent out the same, and collect the rent; and hold or lease the same as the Grand Lodge may desire, subject to the regulations hereafter prescribed.

May collect  
 its revenue and  
 loan out the  
 same, &c.

Proviso.

SEC. 2. That said Grand Lodge shall have power to collect its revenue, and to apply the same according to the custom of the order, or may loan out the same for the purpose of aiding in benevolent enterprises, or for the purpose of accumulation: *Provided,* That the funds in money, or choses in action, shall not exceed, in available assets, the sum of fifty thousand (50,000) dollars, at any one time, and shall not be loaned upon usurious interest; nor shall

the funds or accretions thereof be used otherwise than for the payment of the expenses of the said Grand Lodge, and for charitable purposes; and being thus set apart, the same shall not be liable to taxation.

A. D. 1837.

SEC. 3. That the officers of each subordinate Lodge under the jurisdiction of this Grand Lodge, (whose chief officer shall be *ex officio* a member of said Grand Lodge,) and their successors in office, be, and the same are hereby, created a body politic and corporate, so far as to enable them, for each of their respective Lodges, to receive, hold and enjoy, possess and retain property, both real and personal, not exceeding in value the sum of twenty-five thousand dollars, (\$25,000,) and to sell, alien or lease the same, in any manner deemed advisable by said subordinate Lodge; and which subordinate Lodges shall be, and are hereby, incorporated by the name specified in the charter, or dispensation granted by the said Grand Lodge, to each of them respectively, which said charters or dispensations, whether granted heretofore or hereafter, by said Grand Lodge, shall be evidence of the fact of incorporation, under this Act, in any Court of this State, without further proof; and by such name said subordinate Lodges may sue and be sued, plead and be impleaded, and do all things enjoined by said Grand Lodge, not inconsistent with the Constitution or laws of the land, and within the scope and of the powers hereby conferred upon said Grand Lodge; and the said subordinate Lodges, respectively, shall retain their said corporate powers so long as the said Grand Lodge shall continue their respective charters or dispensations, but shall cease to possess any corporate existence when the charter or dispensation shall have been revoked or taken away by said Grand Lodge; and all the effects of such subordinate Lodge as may forfeit its charter or dispensation, shall belong to the said Grand Lodge, and each subordinate Lodge shall have the same powers, with respect to its assets, as are conferred by the second Section of this Act upon the Grand Lodge.

Subordinate  
Lodges, charter  
of.

Powers of.

Limitation of  
charter.

SEC. 4. That the said Grand Lodge, and each subordinate Lodge or Lodges under its jurisdiction, shall have, respectively, power to receive by gift, grant, contract, devise or donation by will, subscription or otherwise, any personal or real estate, not exceeding in value the sum hereinbefore mentioned as the maximum of their assets, respectively; and shall have power to sell, alien or dispose of the same; and no such gift, grant, contract, or devise, or donation by will, subscription or otherwise, shall fail by reason of any misdescription in the name of such corporation; and all contracts or agreements which may have been lawfully entered into by said Grand Lodge or subordinate Lodge or Lodges, under their organization hereto-

May acquire  
and dispose of  
property.

A. D. 1873.

fore, shall be binding upon them in their several corporate capacities under this Act; and the same may be enforced by them respectively, and the property and effects owned by them, being dedicated to charitable purposes only, shall be exempt from taxation.

SEC. 5. That this Act shall be taken and deemed as a public Act, and notice thereof shall be taken in all the Courts of Justice and elsewhere, in this State, and shall be given in evidence on any trial of issue or cause, without special pleading.

Approved February 27, 1873.

No. 367. AN ACT TO INCORPORATE THE ANTIPEDO BAPTIST CHURCH OF CHRIST, IN THE TOWN OF GEORGETOWN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David Henry Smith, Nathaniel H. Guyton and James L. Ward, and their successors, who shall hereafter be members of said church, shall be, and are hereby declared to be, a body corporate, in deed and in law, by the name and style of the Antipedo Baptist Church of Christ, of the town of Georgetown, and, by the said name, shall have perpetual succession of officers and members, and a common seal, with power to change, alter and make new the same as often as said corporation shall think proper.

SEC. 2. That the said corporation shall be capable in law to purchase, have, hold, receive and enjoy forever, or for any term of years, any lands, tenements or hereditaments, or personal property, not to exceed the annual income of five thousand dollars, and to sell and alien the same as the said corporation may think proper; and the said corporation may, by its said name, sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law or equity in this State; and make any such rules and by-laws, not repugnant to the laws of the land, as for the government of said corporation may be deemed expedient; and may change, alter, amend or renew any of the present or future rules and by-laws, from time to time, as by the said corporation may be thought necessary or expedient.

SEC. 3. That this Act shall be in force until repealed. It shall and may be lawful for the officers or trustees of this society for the time being, to have, hold, possess and enjoy all and singular the estate, real and personal, which did belong to said corporation, in

Corporators.

Corporate name.

Powers and privileges.

May hold and dispose of property.

trust for the use of the said congregation, and subject to the rules and regulations of the said society; and that the said officers or trustees shall have full power and authority to sell and convey the said estates for the benefit of the members of the said society to any person or persons who may purchase the same; any law, usage or custom to the contrary in anywise notwithstanding.

SEC. 4. That this Act shall be deemed a public Act, and notice thereof shall be taken in all Courts of Justice in this State, and may be given in evidence without special pleading.

Approved February 27, 1873.

A. D. 1873.

AN ACT TO REQUIRE COUNTY CORONERS TO REPORT TO THE GOVERNOR IN CAPITAL CASES. No. 368.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of each County Coroner, whenever a homicide has been committed in his County, and the party committing such homicide has not been arrested, or having been arrested has escaped custody before bill found, to forward a report to the Governor within three days after the holding an inquest by him, or, in cases of escape, within three days after notice of such escape, which report shall embrace the name of the person killed, and the name of the person, if known, charged with committing such homicide, together with a copy of the evidence taken before the jury of inquest, and the verdict rendered thereupon: *Provided*, That, in case of escape, it shall be the duty of the Sheriff or other officer having custody of the party, to notify such Coroner of the escape promptly.

Coroner to notify Governor of criminal's escape

Report, what to embrace.

Sheriff to notify Coroner of criminal's escape

SEC. 2. Upon the receipt of any report, as provided in Section 1 of this Act, the Governor may, in his discretion, offer such reward as the gravity of the crime warrants, not exceeding five hundred dollars in any case, for the apprehension and delivery of the fleeing or escaped criminal, as the case may be, to the Sheriff of the County in which such alleged crime was committed, which reward shall be paid upon the warrant of the Governor, from his contingent fund.

Governor may offer reward for apprehension of criminals.

SEC. 3. Any Coroner who shall willfully neglect to make the report, as provided in Section 1 of this Act, shall be liable to indictment as for a misdemeanor, and, upon conviction, shall be fined not less than fifty nor more than five hundred dollars, or imprisoned

Coroner, penalty for neglect of duty.



A. D. 1873.

not less than thirty days, nor more than six months, or both, at the discretion of the Court.

Repealing clause

SEC. 4. All Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 27, 1873.

No. 369. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SUMTER AND DARLINGTON COUNTIES TO BUILD A BRIDGE ACROSS LYNCH CREEK.

Bridge across  
Lynch's Creek.

Each County to  
bear expenses of  
building bridge

Free of toll.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter and Darlington Counties be, and they are hereby, authorized and required to build a bridge across Lynch Creek, at some point where it is the boundary line between said Counties; and that the expense of building said bridge shall be equally divided between said Counties.

SEC. 2. That the said bridge shall be free, and no toll or charges, whatever, be collected for crossing said bridge.

Approved February 27, 1873.

No. 370. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO REGULATE PILOTAGE AT THE PORTS OF CHARLESTON, BEAUFORT AND GEORGETOWN."

Governor to  
appoint distinct  
Boards of Pilot  
Commissioners.

Board, of what  
to consist.

Jurisdiction of  
Commissioners  
for Beaufort.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of "An Act to regulate pilotage at the ports of Charleston, Beaufort and Georgetown," approved February 27, 1872, be amended so as to read as follows: "That the Governor is hereby authorized to appoint separate and distinct Boards of Pilot Commissioners for the ports of Charleston, Beaufort, Georgetown and Little River, in Horry County, each Board to consist of three persons, of whom two shall be, or shall have been, sea-faring men, and the third a full branch pilot. The Commissioners of Pilotage, for the port of Beaufort, shall have jurisdiction over St. Helena, Port Royal, and all entrances southward.

Approved February 27, 1873.

## AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE PROTECTION AND PRESERVATION OF USEFUL ANIMALS."

A. D. 1873.

No. 371.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the protection and preservation of useful animals," approved March 12, 1872, be, and is hereby, amended as follows, to wit: by striking out the word "September," in the sixth line thereof, and inserting the word "August," in lieu of the same.

"August" inserted in lieu of "September."

SEC. 2. That Section 4 of the same Act be, and is hereby, amended as follows, to wit: by striking out the words "15th day of February," in the second line thereof, and inserting the words "15th day of April," in lieu of the same.

"April" inserted in lieu of "February."

SEC. 3. That Section 5 be also amended, by striking out the word "robins" where it occurs on the ninth line thereof.

"Robins" stricken out.

Approved February 27, 1873.

## AN ACT TO AMEND SECTION SEVENTH (7), CHAPTER ONE HUNDRED AND FOURTH (104), OF TITLE ONE (1), PART THIRD (3), OF THE GENERAL STATUTES.

No. 372.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section Seventh (7), Chapter One Hundred and Fourth (104), of Title One (1), of Part Third (3), of the General Statutes, be amended so as to read as follows: The Sheriff of Richland County shall attend every session of the Supreme Court, to perform such official services as by the said Court shall be required, and he shall be allowed, and paid therefor, at the rate of five dollars per day. The Clerk of the said Court shall give a bond, in the sum of three thousand dollars, to be approved by the Chief Justice thereof, for the faithful performance of the duties hereinafter devolving upon him. It shall be the duty of said Clerk to provide for said Court necessary furniture, printing, blank books, stationery, fuel and lights; and the accounts and vouchers for all aforesaid expenditures and service shall be certified to, under oath, by said Clerk, approved by the Chief Justice, audited by the Comptroller General, and paid by the Treasurer of the State out of any funds not otherwise appropriated.

Sheriff of Richland to attend sessions of Supreme Court.

Compensation.

Clerk of said Court to give bond.

To provide furniture, stationery, &c.

Such expenditures—how paid.

Approved February 27, 1873.

A. D. 1873.

No. 373.

## AN ACT TO CHARTER THE CHERAW AND CHESTER RAILROAD COMPANY.

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of establishing a railroad from Cheraw to Chesterville, across the Counties of Chesterfield, Lancaster and Chester, a charter, with all the rights and privileges incidental to the same, be, and is hereby, granted to F. A. Kehew, W. A. Greenleaf, C. B. Stuart, Henry McIver, H. Craig, S. Jackson, J. S. Miller, W. A. Evans, John Erwin, W. A. Moore, William Stevens, C. A. Plyer, J. R. Welsh, George W. Melton, A. H. Davega, T. H. Moffatt, William B. McMillin and John Lilley, (*Provided*, That said persons shall commence operations upon said road within two years after the passage of this Act, and complete the same within five years;) and their associates and successors, who are hereby constituted a body politic and corporate, by the name of the "Cheraw and Chester Railroad Company," and shall have a corporate existence for twenty-one years.

**SEC. 2.** That the said company is hereby authorized to construct a railroad from Cheraw, in Chesterfield County, to Chesterville, in Chester County, by such route as shall be found most suitable and advantageous. The precise line and location to be determined upon by the incorporators after the necessary surveys shall have been made.

**SEC. 3.** That the capital stock of said company shall be one million dollars, with privilege of increasing such capital stock to such an amount as may be found necessary to construct and equip the said railroad, said capital stock to be divided into shares of fifty dollars each: and for the purpose of raising the said capital stock, it shall be lawful to open books of subscription, at such time and places, to keep them open for such periods of time, and under the direction of such persons as may be determined on by a majority of said incorporators. That subscriptions may be made in labor, material, lands or money, at such rates, and on such terms, as may be agreed upon at the time of subscription; and that all amounts so subscribed, either in labor, material, lands or money, shall constitute the joint stock capital for the purpose of constructing and carrying into operation the railroad provided for by this Act; and the said railroad company shall have power to mortgage its property and franchises, and to issue bonds on such terms and conditions, and for such uses and purposes of said corporation as the Board of Directors thereof may deem expedient.

SEC. 4. That the said Cheraw and Chester Railroad Company may, at any time during the existence of this charter, effect a consolidation with any other railroad company, forming a continuous line with its own, according to the provisions of Sections 6 to 14, inclusive, Chapter LXV of the Revised Statutes.

A. D. 1873.

Consolidation  
with other com-  
panies.

SEC. 5. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, passed September 22, 1868, entitled "An Act to declare the manner by which lands or right of way over the lands of persons or corporations may be taken for the construction or use of railways and other internal improvements:" *Provided, however,* That nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

Subject to pro-  
visions of Act to  
declare right of  
way.

SEC. 6. That said railroad shall be commenced within three years, and be completed within seven years.

When to be  
commenced and  
completed.

SEC. 7. All Acts or parts of Acts inconsistent with this Act, are hereby repealed.

Approved February 27, 1873.

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AN ACT TO AUTHORIZE THE CONSTRUCTION OF THE NEW YORK, No. 374.  
NORFOLK AND CHARLESTON RAILWAY COMPANY.

Whereas the General Assembly of North Carolina, by Act ratified the 18th day of December, 1872, did incorporate the New York, Norfolk and Charleston Railway Company, with the object and for the purpose of constructing and maintaining a railway commencing at the city of New York and extending southward to the city of Charleston; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said New York, Norfolk and Charleston Railway Company be, and they are hereby, authorized and empowered to construct and maintain a line of railway, beginning at the line of the State of North Carolina and extending through the Counties of Horry, Georgetown, and southward to the city of Charleston, S. C.; and for the purposes thereof the New York, Norfolk and Charleston Railway Company shall have the right to occupy so much land as may be necessary for the erection of depots, stations, engine houses, sidings, and all other purposes that may be necessary in the construction and maintenance of the said railway.

Line of road.

May occupy  
necessary land.



A. D. 1873.

Corporate name.

SEC. 2. That the said New York, Norfolk and Charleston Railway Company shall have corporate powers, and be a body corporate and politic in law, under the name, style and title of the New York, Norfolk and Charleston Railway Company.

May transport passengers, freights, &amp;c.

SEC. 3. That the said New York, Norfolk and Charleston Railway Company shall or may transport passengers, freight and merchandize along the line of said railway, upon such terms and conditions as may be determined on by the Board of Directors thereof.

Books of subscription.

SEC. 4. That the officers of the said New York, Norfolk and Charleston Railway Company may open books for subscriptions to the capital stock of said Company, and it may and shall be lawful for any incorporated city, town or County, if a majority of the qualified electors, at an election called for such a purpose, after sixty days' notice shall have been given thereof, shall so decide, by the Commissioners thereof, to subscribe to the capital stock of said Company: *Provided*, That said company shall, at all times, be subject to taxation as other property in this State: *Provided, further*, That said New York, Norfolk and Charleston Railway Company shall, in all things relative to the manner of acquiring the right of way, conform to the requirements of Chapter 63 of the Revised Statutes: *And, further*, That the said road shall be commenced within two years from the passage of this Act, and finished within ten years from its commencement.

City, town, &amp;c., may subscribe to stock.

Property subject to taxation.

Subject to provisions of certain Act.

When to be commenced and completed.

Approved February 27, 1873.

NO. 375. AN ACT TO AMEND AN ACT TO INCORPORATE THE CHARLESTON, GEORGETOWN AND CONWAYBORO RAILROAD COMPANY.

May consolidate with other corporations.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be lawful for the Charleston, Georgetown and Conwayboro Railroad Company, at any time during the continuance of its charter, to unite, consolidate and merge its capital stock, property, franchises and railway into and with those of any other corporation or corporations, within or without this State; and such other corporation or corporations are hereby authorized to unite, consolidate and merge its capital stock, property, franchises and railway or railways into and with this corporation, upon such terms, conditions and covenants as may be agreed upon by the Directors of the same. And after such consolidation or consolidations, and the filing in the office of the Secretary of State a certificate or certificates to that effect, this corporation shall be known by the name of the Atlantic and Pacific Seaboard Railway Company, or by any other name which

Certificate of consolidation to be filed with Secretary of State.

Title after consolidation.

may be set forth in such certificate or certificates; and, under such name, shall succeed to, have, hold and enjoy all the powers, rights, privileges, franchises and immunities secured by the charter of the said Charleston, Georgetown and Conwayboro Railroad Company; and shall have a corporate existence for twenty-one years.

A. D. 1873.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railway of one or more tracks, with branches thereof, and of any gauge the Directors may adopt, the main line extending from some point on the North Carolina State line, in Horry County; thence to or near Conwayboro; from thence to or near Georgetown; from thence to or near the city of Charleston; and from thence to some point on the Georgia State line, in the County of Beaufort; the particular location and route of the same to be fixed and determined by the Board of Directors.

Line of road.

SEC. 3. That said company may use any portion of said railway constructed before its final completion, and charge for transportation and passage thereon, and may, from time to time, lease or farm out the whole or any portion of its road, franchises and property to any other corporation, or person or persons, within or without this State, as may be considered most advantageous to the interests of the company; and such other corporation, or person or persons, are hereby authorized to take such lease or leases: *Provided*, That said company shall commence work upon said road within two years from the passage of this Act, and complete the same within five years thereafter; that the property of said company, in this State, shall be subject to such rate of taxation as other property in this State.

May use completed portion of road and lease the same.

SEC. 4. That this Act shall go into effect on and after its passage, and all Acts or parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved February 27, 1873.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF MOULTRIEVILLE, SULLIVAN'S ISLAND. No. 376.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now reside, or may hereafter reside, or who may own buildings erected on any lot in the

Corporators.

A. D. 1873.

town of Moultrieville, Sullivan's Island, shall be deemed, and are hereby declared, the corporators of said town of Moultrieville, Sullivan's Island.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and six Wardens, to be elected on the first Wednesday in July in each year, who shall continue in office until their successors shall be elected, and shall qualify. But the Intendant and Wardens now in office shall continue in office until the first Wednesday in July next, or until their successors shall have been elected, and shall qualify.

Election.

SEC. 3. That the first Wednesday in July in each and every year hereafter an election shall be had for an Intendant and six Wardens, at such place as the Intendant and Wardens in Town Council shall designate, ten days' notice being previously given by advertisement at the ferry landing and in at least one newspaper in Charleston. And that all male residents of the said town, and all male owners of lots upon which buildings have been erected, citizens of the United States, who have attained full age, shall be entitled to vote for the said Intendant and Wardens, the election to be held from six o'clock in the morning until six o'clock in the afternoon, and when the polls shall be closed, the Managers shall count the ballots and proclaim the election, and give notice thereof, in writing, to the persons elected; and that the Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to wit: "As Intendant (or Warden) of Moultrieville, Sullivan's Island, I will support and defend the Constitution of the United States and this State, and equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purpose of my appointment: So help me God."

Electors.

Oath of office.

Vacancies—  
how filled.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or Wardens, by death, resignation, removal from office, or absence from the State, an election shall be held by the appointment of the Intendant and Wardens, as the case may be, thirty days' previous notice being given; and, in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during the time.

Judicial powers.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices of this State within the



limits of the said village, except in trials of civil cases; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business; and shall be known by the name of the Town Council of Moultrieville, Sullivan's Island; and that they and their successors in office shall have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Constables as they shall deem expedient and proper, which Constables shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable; and the Intendant and Wardens, in Council, shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, market and police of such village, as shall appear to them proper for the security, welfare and convenience of the village, and for preserving health, peace, order and good government within the same; and the said Council may affix fines for offences against such by-laws and ordinances, and appropriate them to the use of the corporation, but no fine shall exceed twenty dollars; and when fines shall exceed ten dollars, they may be recovered in any Court of competent jurisdiction for Charleston County; when they are of the amount of ten dollars or under, they may be recovered before the Intendant and Wardens: *Provided*, Nothing herein contained shall empower the said corporation to ordain or establish any by-laws or ordinances inconsistent with, or repugnant to, the laws of this State, and all such by-laws and ordinances shall, at all times, be subject to the revisal or repeal of the Legislature.

SEC. 6. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits, and to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as often as occasion may require, and to enforce the performance thereof, under the same penalties as are now, or may hereafter be, established by law; and the said Intendant and Wardens, or any of them, upon view thereof, or upon complaint lodged, on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before them or him, and, upon an examination, shall either release, admit to bail, if the offense be bailable, or commit to jail such offenders, as the case may require; and the Sheriff of Charleston County is hereby required to receive and keep the person so committed until discharged by due course of law. And that the said Intendant and Wardens shall, collectively and severally, have cog-

A. D. 1853.

Constables.

Fines for  
Charleston  
County.

Proviso.

Nuisances.

Duty of Sheriff  
of Charleston.



A. D. 1873.

nizance within the said corporate limits in all criminal cases as Justices of the Peace and Quorum have according to law.

Licenses.

SEC. 7. That the Intendant and Wardens of the said town shall have full and only power to grant or refuse license to retail spirituous liquors within the said limits, which license shall be granted in the same manner, and upon the same conditions as they are now, or may hereafter be, under the laws of this State, except that the Town Council shall have power to regulate the price of license to keep taverns and to retail spirituous liquors: *Provided*, That in no instance the price of a license so to keep tavern or retail spirituous liquors shall be fixed at a less sum than is established by the laws of the State, and all the powers formerly vested in the Commissioners of Roads are hereby granted to the said Intendant and Wardens within the said limits, and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billard tables within the said limits without license, shall be appropriated to the use of said corporation.

Proviso.

May compound with persons liable to street duty.

SEC. 8. That the said Intendant and Wardens shall have power to compound with persons liable to work on said roads, streets and alleys, to release such persons as may desire it, upon a fair equivalent therefor, to be applied by them to the use of the said corporation, and no person residing within the said limits shall be liable to work on any road without said limits, or to be taxed or assessed for the same.

Annual taxation.

SEC. 9. That the Town Council of Moultrieville, Sullivan's Island, shall have power to impose an annual tax upon the keepers of billiard tables and ten-pin alleys, or any other pin alleys, within the discretion of said Council, and to grant or refuse license for the same, upon such terms and conditions, and subject to such regulations, as they may by ordinances establish. They shall also have power to impose a tax, within their discretion, on all sales made by itinerant traders and auctioneers, on all public drays, wagons, carriages, omnibuses, and other vehicles kept for hire, and on the owner or possessor of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of said town. The said Town Council shall have power to impose an annual tax on the amount of all sales of goods, wares, merchandise, and also on the amount of income arising from all factorage and mechanical employments, faculties and professions, including the profession of dentistry: *Provided*, That no tax shall be imposed in any one year to exceed the rate of twenty cents on each hundred dollars of the value of such sales and income; and the said Town Council shall also have power to impose a tax upon all persons who shall open any room or car for the purpose of taking daguerreotypes or other like-

nesses within the corporate limits of said town; and the said Town Council shall have power to impose an annual tax not exceeding twenty cents on every hundred dollars of the value of all real estate lying within the corporate limits of said town, the real estate of churches and school associations excepted; and for that purpose they shall appoint three freeholders, residents therein, to assess the value of said real estate, upon oath, and return the assessment within one month to said Council for taxation, and to fill any vacancy occasioned by the death, resignation, refusal to serve or removal from office of the said Assessors, and any person who shall refuse to act as Assessor, upon being appointed by the Council, may be fined any sum not exceeding twenty dollars; and the said Council shall have power to regulate the price of license upon all public shows and exhibitions in said town; and to erect a powder magazine, and to compel any person holding more than thirty-five pounds of powder to store the same therein, and to make regulations for rates of storage thereof, and for keeping and delivering the same; and the said Town Council shall have power to enforce the payment of all taxes and assessments, levied under the authority of this Act, against the property and persons of defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and directed to the Town Marshal, or other person especially appointed by the said Town Council to collect the same; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment of same in preference to other debts due by the persons owning such property at the time of the assessment, except debts due the State, which shall be first paid; that the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale of the freehold therein, either at public or private sale, as they adjudge best for the interests of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways, from time to time, as they may deem important or necessary for the improvement of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

SEC. 10. That the said Town Council of Moultrieville has the charge and control of the lots on Sullivan's Island, and full right and authority to lay out such other lots as may, from time to time,

A. D. 1873.

Assessors.

Shows and exhibitions.

Executions.

Power to close and open streets.

Proviso.

Charge and control of lots.

A. D. 1873.

become necessary: *Provided*, That no lot shall exceed more than one-half acre in measurement.

Council to give  
consent to occu-  
pation of all  
lots.

SEC. 11. That all persons who may desire to use any lot on said island shall apply to the said Town Council for permission so to do, and no occupation of such lots shall be valid except with the consent of the said Town Council first had and obtained. And it shall be, and is hereby declared to be, the duty of the said Town Council of Moultrieville to enforce the Acts and Resolutions of the General Assembly with respect to the use and occupation of lots on said island, and to institute prosecution for all offences against said Acts and Resolutions.

SEC. 12. This Act shall be deemed a public Act.

Approved February 27, 1873.

No. 377. AN ACT TO INCORPORATE THE STEVEN'S CREEK NAVIGATION COMPANY, AND FOR OTHER PURPOSES.

Corporators.

Corporate name.

Objects of corporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Hugh A. Shaw, Pickens Delaughter, Joseph Thurmond, Thomas Shaw, and such other persons as they may associate with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Steven's Creek Navigation Company;" and they are hereby made corporate in law, to have, hold, purchase and possess lands, and to make sale of the same, as a company, to carry on the lumber and wood business, to erect houses, mills, machine shops, manufactories, to carry on any manufacturing business; dig out, blast, and clean away any obstructions, and make any canals which may be necessary, in order to complete a navigable water course from the mouth of Big Steven's Creek, where it enters into the Savannah River, to the Mill Dam across said Creek, at the mill of Shaw & Merriweather, on said Creek, conveying lumber, wood, barges, rafts, boats, or any craft, and operating such manufactories that may be necessary to carry out the designs of said company.

Capital stock.

SEC. 2. That the capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, divided into shares of ten (10) dollars each, and shall organize when two thousand dollars shall be subscribed and paid in cash or lands, machinery or goods, or any ma-



terial deemed of equal value to said company, which may be applied in its operations; each share of said stock shall represent one vote in all elections for officers.

SEC. 3. That there shall be annual meetings of the stockholders to elect seven Directors, and these Directors shall elect a President from their number.

SEC. 4. That the President and Directors shall make all needful by-laws and rules for the government of the company, and alter and amend the same at pleasure, subject, however, to the approval of the stockholders, at their annual meetings.

SEC. 5. That all transfers of stock shall be made in accordance with Bank rules for making transfers of shares.

SEC. 6. That for and in consideration that this company dig out, blast, and open the channel of said Steven's Creek within the limits prescribed above, and make the same navigable for such vessels or crafts as they may choose to employ, they shall have and enjoy the right and privilege of navigating and using said stream for transporting lumber, wood, goods, wares, merchandise, and freight of all descriptions, within said prescribed limits, and for that purpose the same is hereby declared a navigable stream, for the use of said company.

SEC. 7. That they and their successors shall fix and establish any toll, and receive the same, on all passengers and all kinds of goods and freight transported by said company, they assuming all the responsibility of common carriers.

SEC. 8. That they shall have authority to commence work immediately on the formation of said company, and may make publication of the same, and also to keep open their books of subscription, at such time and place as they may determine.

SEC. 9. That this Act shall be deemed a public Act, and shall continue of force for fourteen years from its ratification.

Approved February 27, 1873.

A. D. 1873.

Annual meetings.

Officers.

Transfers of stock.

Exclusive right of navigating said stream.

Rates of toll.

Publication.

AN ACT TO REMEDY AND SUPPLY THE LOSS OF PUBLIC RECORDS, AND TO PERPETUATE TESTIMONY IN REGARD TO DEEDS, MORTGAGES, SETTLEMENTS AND OTHER PAPERS, LOST BY FIRE AT ABBEVILLE.

No. 378.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any party to



A. D. 1873.

Manner of supplying burnt judgment, decree, &c.

Notice to opposite parties.

To apply to Clerk of Court for leave.

Application—what to contain.

To be verified by affidavit.

Upon failure to answer, Clerk to docket judgment.

When jurisdiction of Clerk to cease.

Appointment of Commissioner.

Duty of such Commissioner.

Appeal.

In defendant's absence, notice of application to be published.

a record, plaintiff, defendant, assignee, or any person having an interest in any judgment, decree or agricultural lien, the record of which has been destroyed by fire at Abbeville, on the 19th January and 17th November, 1872, shall have the right to supply the same in the following manner:

SEC. 2. That the party desiring to supply such record may, upon notice of not less than twenty days, served personally upon the other parties in interest in such record, make application to the Clerk of the Court for leave to substitute a new record, which application shall contain, as nearly as possible, a statement of the names of the parties, the amount of the debt, the entry of said judgment and execution, the names of the attorneys of record, with such other particulars as the applicant may deem proper to his case; all which shall be verified by the affidavit of the applicant, or his or her agent or attorney, according to the best of his knowledge, information and belief.

SEC. 3. That upon failure of the party or parties, served as aforesaid, to answer such application, in writing, to be filed in the Clerk's office within twenty days thereafter, exclusive of the day of service, the Clerk of the Court shall docket judgment for the party filing said application.

SEC. 4. That if the party or parties, served with notice as above, file with the Clerk of the Court, within twenty days after such service, excluding the day of service, an answer to the application, denying, upon oath, the applicant's right to the relief sought, with a statement of the grounds why such application should not be granted, the jurisdiction of the Clerk of the Court shall cease, and he shall refer the application, answer, and any accompanying papers, to a Commissioner, for whose appointment provision is hereafter made.

SEC. 5. That said Commissioner shall take, in writing, all the testimony introduced by one or both parties, according to law; shall hear and decide the matter in controversy, report his decision in writing, and, with it, return all the papers to the Court of Common Pleas. From the decision of the Commissioner an appeal may be taken to the Court by the party or parties dissatisfied therewith, as in case of an appeal from the decision of Referee appointed under the Code. If there be no appeal, the Clerk of the Court shall docket judgment according to the report and decision of the Commissioner.

SEC. 6. In every case in which the defendant or defendants in any burned judgment or decree shall be absent from and without the limits of this State, in lieu of the service required by this Act, it shall be sufficient to publish, in a newspaper of Abbeville County,

one month's notice of such application, and, if the absentee's residence is known, a copy of the paper containing the publication shall be mailed to his or her address: *Provided*, That nothing herein contained shall prevent such absent defendant or defendants, within two years after the publication of the notice in this Section provided, from moving the Court, upon a proper showing, to set aside such judgment or decree.

A. D. 1873.

Proviso.

SEC. 7. The County Commissioners for Abbeville County shall, forthwith, furnish the Clerk of said County with a book or books of proper size, suitably ruled and securely bound, to be labelled "Abstract of Burnt Judgments and Decrees," in which the said Clerk shall enter an abstract of every such judgment and decree, a new record of which shall be so ordered to be substituted, setting out, in distinct and appropriate columns, as near as possible, the names of all the original parties, plaintiffs' and defendants' attorneys, the date of the signing of the judgment or filing of the decree, the amount of the recovery, the sum bearing interest, and the date from which the interest began to run, the balance actually due at the date of the destruction, the date of the entry of the original process, the last process issued for the execution of such judgment, and the costs due thereon. And such entries shall, without other or further record, be good and sufficient in law for all purposes for which the original record itself could have been used, and of equal authority therewith in all respects.

County Commissioners to furnish books.

What to be entered therein.

Such entries as good as original.

SEC. 8. In any case provided for in this Act, if the applicant, or, in case of his death, his personal representative, shall make oath, according to the best of his knowledge and belief, that a discovery from the party or parties respondent is the only means by which such lost or destroyed record or document can be established, and also of the former existence and of the loss and destruction of such record or other document, he may, if the respondent, or either of them, if more than one be living, and be within the limits of the State, call upon such respondent to answer, on oath, as to the former existence of such record or other document, and as to its contents, character and description, and also as to the amount due thereon. And in case such respondent, after at least ten days' personal notice, (if he be within the County when such proceeding is had, and twenty days if he is not,) shall fail to answer, upon oath, the interrogatories so propounded, such failure to answer, (unless satisfactorily explained or accounted for,) shall be taken and considered as an admission by such respondent of the truth of the facts stated and set forth in the applicant's affidavit: *Provided*, That such admission shall only affect the party so failing to answer as aforesaid, and his legal representatives. If such respondent shall

When applicant may require respondent to answer on oath as to character of document, &amp;c.

Failure to answer considered admission.

Proviso.

A. D. 1873.

If respondent denies existence of record, &c., such denial, with applicant's affidavit, to be submitted to Court as evidence.

County Commissioners to furnish certain books.

What to be entered therein.

In case record is lost after redelivery, or burned while in Register's office, to be proved as above.

May still be established according to rules of evidence.

Judge of Circuit to appoint Commissioner.

deny, on oath, the former existence of such record or other document, so attempted to be set up, or shall deny, on oath, that there is anything due thereon to such applicant, or his legal representatives, or shall deny any other material fact alleged in the applicant's affidavit, the answer of the respondent, together with the affidavit of the applicant, shall be considered as evidence in the case, and shall, with such other testimony as the parties on both sides may offer, be submitted to the Court: *Provided*, That no costs shall be taxed against the respondent for the interrogatories which may be propounded to him under the provisions of this Act.

SEC. 9. That the Commissioners of the County shall provide a book or books for the Clerk of the Court, in which the said Clerk shall record an abstract of all the deeds, conveyances, mortgages, settlements, liens, and other instruments in writing heretofore recorded, and required by law to be recorded, which abstract shall contain a statement of the names of the parties, a brief statement of the property mentioned in the deed or other instrument, the date of the paper, the time when the registry was made, and the certificate of such registry shall be entered anew on said paper. And the said deeds, conveyances, mortgages, settlements, liens, and other instruments in writing, shall be recorded as above provided for within six months from the ratification of this Act, otherwise they shall not prevail as liens against subsequent creditors or purchasers for a valuable consideration without notice.

SEC. 10. That in case any deed, conveyance, settlement, mortgage, agricultural lien, or other instrument in writing, shall have been duly recorded, and, after registry, redelivered to the owner thereof, and the same shall have been mislaid, lost or destroyed whilst in possession of the owner, or in case of any deed, conveyance, mortgage, settlement, agricultural lien, or other instrument in writing requiring registry, shall have been delivered to the Register with such intent, and shall have been burned whilst in the office of the Register of Mesne Conveyance, and before redelivery to the owner thereof, an abstract of all such deeds, conveyances, mortgages, settlements, agricultural liens, and other instruments in writing, shall be proved as in the case of judgments, as aforesaid, and recorded by the Clerk in the book or books, as ordered in the preceding Section of this Act.

SEC. 11. That nothing herein contained shall prevent any one from establishing, on the trial of any cause, any lost or burnt paper, according to the rules of evidence now existing.

SEC. 12. That the Judge of the Eighth Judicial Circuit shall have power to appoint a person, who shall be called a Commissioner,



to hear and decide all questions to be referred to him, as required under the provisions of this Act.

A. D. 1873.

SEC. 13. The County Commissioners are authorized and required to employ the service of a competent person to arrange properly, in the new office of the Probate Judge of said County, all the records of the late Court of Equity which properly belong to the Probate Court, and which were saved in a mixed and disorderly condition from the late fire in Abbeville.

Appointment  
of person to ar-  
range records in  
Probate Judge's  
office.

SEC. 14. That in cases where records are altogether destroyed or burned, the execution excepted, the execution shall be taken as *prima facie* evidence of the burned or lost record.

Execution—  
when to be taken  
as *prima facie*  
evidence.

SEC. 15. That by the substitution and removal of judgments and papers, as provided by this Act, no party shall have any other or greater right than would have existed had the judgment and conveyance, mortgage, settlement, lien, or other instrument in writing, never been burned, mislaid, lost or destroyed.

Right of par-  
ties in case of  
substitution.

SEC. 16. The plaintiff shall pay the costs of his application to replace and renew his judgment, as aforesaid, if the defendant make default upon such application or consent thereto. In such cases, the plaintiff's costs, to be paid by him, shall be ten dollars for his application. In cases where judgment does not pass against the defendant by default or by consent, and he contests the plaintiff's claim or right, the costs shall be the same as provided by the Code, and awarded to parties according to the Code of Procedure. The fees of the Clerk and Sheriff shall be the same as now fixed by law for similar services, and those of the Commissioners to be appointed under this Act the same as were allowed to Commissioners in Equity by the Act of the General Assembly of this State, passed in December, 1839.

Plaintiff to pay  
costs of applica-  
tion, &c.

Costs same as  
provided by  
Code.

Fees of Sheriff  
and Clerk.

Approved February 27, 1873.

AN ACT TO AUTHORIZE JAMES MCPHERSON TO ADOPT AND MAKE HIS LAWFUL HEIR JAMES MCPHERSON O'NEILL, AND TO CHANGE THE NAME OF THE SAID JAMES MCPHERSON O'NEILL TO JAMES MCPHERSON, JR.

No. 379.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James McPherson is hereby authorized and empowered to adopt and make his

James Mc-  
Pherson O'Neill,  
name changed to  
McPherson.



A. D. 1873.

Made lawful  
heir.

lawful heir James McPherson O'Neill, and that the name of the said James McPherson O'Neill be changed to James McPherson, Jr.

SEC. 2. That should the said James McPherson die intestate, the said James McPherson, Jr., shall inherit his estate, both real and personal.

Approved February 27, 1873.

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No. 380. AN ACT TO ESTABLISH A PUBLIC ROAD IN COLLETON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. J. Kline, Commissioners J. W. Burbridge, A. Wichman and Joel Larecy be, and they are hereby, appointed Commissioners to act in conjunction with the County Commissioners of Colleton County, to lay out and open a Line of road. public road, by the shortest practicable route, from Walterboro, over the branch of the Ashepoo River known as Hymes' Branch, to Cohen's Corner, the point of intersection of the Ashepoo Neck Road with the Combahee Road, and to erect a bridge over said branch.

To receive no  
compensation.

SEC. 2. That the Commissioners named in this Act shall receive no compensation for their services, except their traveling expenses; and it is hereby made the duty of the County Commissioners of Colleton County to levy and collect a special tax of two mills on the dollar, for the year 1873, in addition to all other taxes, and to use the same exclusively in the payment of expenses incurred in the construction of said road and bridge.

Special tax.

Approved February 27, 1873.

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No. 381. AN ACT TO FIX THE TIME OF HOLDING THE CIRCUIT COURTS IN YORK COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act the Circuit Courts in the County of York shall be held as follows:

The Court of General Sessions, at Yorkville, for the County of York, on the second Monday of January, and on the first Monday of April and October; and the Court of Common Pleas, at Yorkville, for the County of York, on the first Wednesday after the second Monday of January, and on the first Wednesday after the first Monday of April and October.

A. D. 1873.

Yorkville--  
Court General  
Sessions.  
Court Com-  
mon Pleas.

Approved February 27, 1873.

AN ACT TO FIX THE TIME FOR CERTAIN STATE AND COUNTY OFFICERS TO REPORT. No. 382.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, the Comptroller General, and all other State officers who are now required by law to report annually to the General Assembly, be, and they are hereby, required to make such report on or before the first day of December of each and every successive year.

State officers,  
when to report.

SEC. 2. That all County officers who are now required by law to report to any superior County or State officer, be, and they are hereby, required to make such report on or before the first day of November in each and every successive year.

County officers,  
when to report.

SEC. 3. Any of the officers above enumerated who shall fail to comply with the provisions of this Act, shall be deemed guilty of a misfeasance in office, and, upon conviction, shall be punished by a fine of not less than five hundred, nor more than three thousand dollars, or be imprisoned for a term of not less than three months, nor more than two years, or either or both, at the discretion of the Court.

Penalty for  
failure so to re-  
port.

SEC. 4. The Attorney General is hereby specially charged with the prompt and rigorous enforcement of the provisions of this Act.

Duty of At-  
torney General.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved February 27, 1873.

A. D. 1873.

## AN ACT TO FIX THE SALARY OF CERTAIN OFFICERS.

No. 383.

Preamble.

Whereas the Act fixing the salary of Circuit Solicitors has been inadvertently repealed by the General Statutes; and whereas the fees now allowed, by law, are insufficient to defray the expenses and compensate the services of such Solicitors; therefore,

Salary of Solicitors.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, in addition to the fees now prescribed by law, the Circuit Solicitors shall each receive, from the State, a salary of one thousand (1,000) dollars per annum.

Approved February 27, 1873.

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No. 384. AN ACT TO ESTABLISH A PUBLIC ROAD IN KERSHAW AND CHESTERFIELD COUNTIES.

Commissioners.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. B. McPherson, Roderick Shaw, James M. Tiller, A. L. Johnson, Wm. K. Johnson, Dove Seagurs, Murdoch Shaw and Edward Douglass be, and they are hereby, created Commissioners, on the part of Chesterfield County, and Elisha Ellis, D. M. Lauren, Wm. R. McDonald, Neil M. Bethune, D. Bethune, S. D. Hough, Jacob Ellis and J. B. Brannon, Commissioners on the part of Kershaw County, to establish a public road, beginning at Bethel Church, on the Cheraw Road, in Kershaw County, and running thence eastwardly across the Big Lynch's Creek Bridge, intersecting the road leading by W. K. Johnson's Saw Mill, at some point near said mill in Chesterfield County.

Line of road.

Approved February 27, 1873.

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No. 385. AN ACT RELATING TO CERTAIN TAXES ASSESSED AND COLLECTED IN BEAUFORT COUNTY.

Preamble.

Whereas the County Commissioners of Beaufort County have assessed and caused to be collected in part, for the fiscal year ending October 31st, 1873, a tax of one mill on the dollar, for the support of the poor; one mill for public buildings; and one dollar per capita for the maintenance of schools; and whereas such assessment and collection of taxes was not authorized by any Act of the General Assembly; and whereas the return of said taxes to the parties paying the same

would be attended with great inconvenience, yet, in order that no injustice shall be done to those who paid such illegal taxes; therefore,

A. D. 1873.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the assessment and collection of the taxes named in the preamble of this Act, in Beaufort County, are hereby legalized and made of full effect, and the County Commissioners of said County are hereby authorized and empowered to appropriate any funds so collected to the payment of the current expenses of the fiscal year ending October 31st, 1873.

Certain taxes  
legalized.

SEC. 2. That in order that the parties from whom said taxes have been collected shall suffer no injustice, the County Treasurer of Beaufort County is hereby authorized and required, on presentation of a receipt showing the payment of such taxes by any person, to remit from the legally authorized taxes of such person, levied for County and school purposes for the next fiscal year, a sum equal to the sum paid as stated in the first Section of this Act, the said Treasurer writing across any receipt given under this Act the amount so remitted.

When County  
Treasurer may  
remit certain  
taxes.

Approved February 27, 1873.

## AN ACT TO INCORPORATE THE SPARTANBURG BUILDING AND LOAN ASSOCIATION. No. 386.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. E. Heinitsch, J. H. Evans, John Geddis, H. L. Potter, George Cofield, Jas. Fonder, G. Cannon, D. R. Duncan, together with other persons who now are, or may hereafter be associated with them, be, and they are hereby declared, a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate, or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Spartanburg Building and Loan Association," the capital stock of which shall consist of four hundred, but may be increased to one thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue, the

Corporators.

Objects of corporation.

Capital stock.



A. D. 1873.

said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the by-laws of the said corporation.

General powers.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and the laws of the land, shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them, shall have and keep a common seal, the same at will to alter, may sue and be sued, plead and be impleaded in any Court of Law and Equity in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

May hold and dispose of property.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not, at any time, exceed the value of two hundred thousand dollars.

Proviso.

Loan of funds in hand to stockholders.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they may, from time to time, deem expedient.

When money may be loaned to others than stockholders.

SEC. 5. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time, and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

Dividends.

Division and distribution of assets.

SEC. 6. The said corporation shall have the right, out of its profits, to declare and pay semi-annual or annual dividends on the stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish. But no dividends shall ever be paid so as to diminish the capital stock: *And it is further provided*, That, in case the association shall not have closed

its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years from its passage.

A. D. 1873.



Approved February 27, 1873.

AN ACT TO INCORPORATE THE YORK MANUFACTURING COMPANY. No. 387.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James F. Hart, T. Marion Dobson, Lewis M. Grist and George R. Ratchford, and such other persons as may become associated with them, and their successors, are hereby made and declared a body politic and corporate in law, under the name and style of the York Manufacturing Company, for the purpose of spinning and manufacturing cotton and woolen fabrics, at such locality in York County as said corporation may select, with a capital stock of three hundred thousand dollars, to be divided into three thousand shares of one hundred dollars each.

Corporators.

Corporate name.

Objects of corporation.

SEC. 2. That the corporators herein named shall be permitted to open books of subscription to the capital stock of said company, at such times and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same, and whenever the sum of fifty thousand dollars shall be subscribed, in *bona fide* subscriptions to said capital stock, the said corporators, or any two of them, shall file in the office of the Secretary of the State their affidavit that such amount has been *bona fide* subscribed, and thereupon the persons who have subscribed to the stock of said company shall have three weeks' public notice, by advertisement, in one or more newspapers of this State, of the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

Books of subscription.

Certificate to be filed with Secretary of State.

SEC. 3. That said company shall, at said meeting, be organized by the election of a President, Vice President, and such number of Directors and other officers, for such term as the stockholders present may decide upon then, or at any time thereafter, and that annually thereafter the President and Directors so elected shall call together the stockholders for the purpose of electing officers of the corporation, and for the transaction of such business, relating to the interest of the company, as they may deem fit.

Officers.

A. D. 1873.  
 General powers.

SEC. 4. That said company, when organized as herein provided, may establish by-laws for the usage and government of the company not repugnant to the laws of this State; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same; may sue and be sued, plead and be impleaded in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of bodies corporate in this State. They shall also enjoy such special privileges and immunities as are now, or hereafter may be, conferred by law on manufacturing companies within this State.

When may  
 commence business.

SEC. 5. That whenever the said sum of fifty thousand dollars shall be paid into the capital stock of said company, it shall be authorized to commence business as a manufacturing company under this charter.

Approved February 27, 1873.

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## JOINT RESOLUTIONS.

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### No. 1. \*JOINT RESOLUTION AUTHORIZING THE PAYMENT OF THE CLAIM OF HENRY WARE AND SON.

Twelve thousand dollars appropriated.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of the State be, and he is hereby, authorized and required to pay to Henry Ware and Son the sum of twelve thousand dollars, the said sum to be paid out of any moneys not otherwise appropriated.

Approved March 15, 1872.

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### No. 2. JOINT RESOLUTION TO ALLOW MRS. HARRIET A. RANDOLPH, OF DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mrs. Harriet A. Randolph,

\*See foot note, page 197.

of the County of Darlington, be, and she is hereby, allowed to redeem certain lands formerly owned by her in said County, consisting of fifty acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that she shall pay over to the County Treasurer of Darlington County, all taxes, penalties and costs which are, or may be, due upon the same, after which the County Auditor shall expunge the said land from the forfeited land record of the County of Darlington.

A. D. 1872.

Mrs. Randolph allowed to redeem certain lands upon payment of taxes, &c., due the State.

Auditor to expunge the same from forfeited land record.

Approved December 20, 1872.

JOINT RESOLUTION TO MAKE APPROPRIATION FOR EXPENSES OF PRINTING ORDERED BY THE GENERAL ASSEMBLY DURING THE REGULAR SESSIONS OF 1870-'71, and 1871-'72.

No. 3.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of two hundred and fifty thousand dollars, if so much be necessary, be, and is hereby, appropriated for the payment of printing claims of the Republican Printing Company, for work ordered by the General Assembly at the sessions of 1870-'71 and 1871-'72.

\$250 000 appropriated for payment of printing claims.

SEC. 2. That the sum of seventy-five thousand dollars, if so much be necessary, be, and is hereby, appropriated for the payment of outstanding claims for the publication of the laws in the various newspapers of the State.

\$75,000 appropriated for payment of claims of newspapers for publishing laws.

SEC. 3. That the sums hereby appropriated shall be expended under the direction of the Clerk of the Senate and the Clerk of the House of Representatives, in accordance with the provisions of an Act approved January 13, 1871, entitled "An Act to provide for the publication of the Acts, Reports, Resolutions, Journals and other papers of the General Assembly."

Claims, under whose direction to be paid.

Approved December 21, 1872.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO LEVY AND COLLECT AN ADDITIONAL TAX OF TWO MILLS UPON THE DOLLAR.

No. 4.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County



A. D. 1873.

Two mills, tax to  
rebuild Court  
House.

Commissioners of Abbeville County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of the said County; said tax to be devoted exclusively to the rebuilding of the Court House lately destroyed by fire; also,

*Be it resolved*, That if any balance should be left out of the funds raised under, and in accordance with, this Joint Resolution, after the completion of the said Court House, then the same balance shall be appropriated by the County Commissioners of said County to the liquidation of the public debt thereof; and that, on and after the fiscal year ending October 31, 1873, no further levy shall be made for the purposes set forth in this Resolution.

Approved January 9, 1873.

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No. 5. JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF THE SAID COUNTY.

Two mills tax  
for past indebted-  
ness.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw County be, and they are hereby, authorized to levy and collect a special tax of two mills on the dollar on the taxable property of the said County, said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Approved January 9, 1873.

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No. 6. JOINT RESOLUTION TO MAKE APPROPRIATION FOR THE PAYMENT OF THE OUTSTANDING PAY CERTIFICATES OF THE MEMBERS OF THE LAST GENERAL ASSEMBLY.

\$25,000 appro-  
priated to pay  
certificates of  
members last  
General Assem-  
bly.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of twenty-five thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the payment of the outstanding

pay certificates of the members of the last General Assembly; and the State Treasurer be, and he is hereby, requested to inform the General Assembly of the amount paid out under this resolution.

A. D. 1873.

Approved January 25, 1873.

JOINT RESOLUTION TO RELIEVE J. E. DENT, FORMER SHERIFF OF RICHLAND COUNTY, OF A PENALTY ON TAX EXECUTIONS.

No. 7.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. E. Dent, former Sheriff of Richland County, be, and he is hereby, relieved from responsibility of tax execution of 1867, amounting to one hundred and eighty-two dollars and ninety-four cents, the same being a penalty on account of the State, and execution lodged for the same, January 28, 1868, by William Hood, Treasurer, and that the Treasurer of the State is hereby authorized and directed to give him full acquittance and release therefor.

J. E. Dent relieved of penalty on certain tax execution.

Approved January 25, 1873.

JOINT RESOLUTION AUTHORIZING AND REQUIRING THE STATE TREASURER TO PAY AND CANCEL THE NOTES AND CERTIFICATES ISSUED IN PAYMENT OF THE DIFFERENT DEBTS CONTRACTED FOR THE FURNISHING OF THE HALL OF THE HOUSE OF REPRESENTATIVES, COMMITTEE ROOMS, &c.

No. 8.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay and cancel the different notes and certificates issued for the purpose of paying the debts contracted in furnishing the Hall of the House of Representatives, Committee and other rooms used by the General Assembly of South Carolina, in the year A. D. 1870, amounting to forty-nine thousand four hundred and seventy-three 71-100 dollars, to wit: Nicol, Davidson & Co., twenty-three thousand eight

State Treasurer to pay notes, &c., issued for fitting up Hall of House of Representatives.

A. D. 1873.

hundred and twenty-eight 32-100 dollars; to Stewart, Sutphen & Co., twenty-one thousand two hundred and ninety-four 69-100 dollars; to M. H. Berry, four thousand three hundred and fifty 70-100 dollars, with interest from the dates when the respective debts were contracted: *Provided, however,* That the State Treasurer shall pay no notes or certificates purporting to have been issued for the said purpose, other than those above enumerated.

\$58,000 appropriated for that purpose.

SEC. 2. That fifty-eight thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of the claims specified and set forth in the foregoing Section of this Joint Resolution, together with the interest accrued thereon.

Approved January 29, 1873.

NO. 9. JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA RELATIVE TO THE INCREASE OF THE STATE DEBT.

Preamble.

Whereas, the Constitution of the State of South Carolina provides that an amendment or amendments may be made to the same; and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House; such amendment and amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and, that the same shall be submitted to the qualified electors of the State, at the next general election thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments by yeas and nays, the same shall become part of the Constitution: *Provided,* That such amendment or amendments shall have been read three times, on their several days, in each House; and whereas the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina which was agreed to by two-thirds of its members, to wit:

Article XVI, prohibiting creation of debt without consent of the people.

"Article XVI. To the end that the public debt of South Carolina may not hereafter be increased, without the due consideration and free consent of the people of the State, the General Assembly is hereby forbidden to create any further debt or obligation, either

by the loan of the credit of the State, by guaranty, endorsement, or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guaranty, endorsement, or loan of its credit, to the people of this State at a general State election; and, unless two thirds of the qualified voters of this State, voting on the question, shall be in favor of a further debt, guaranty, endorsement, or loan of its credit, none such shall be created or made ;”

And whereas, the said proposed amendment has been submitted to the electors, qualified to vote for members of the General Assembly, at the next general election following the action of the General Assembly, and a majority of the said electors have voted in favor of the same; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, to wit: “Article XIV. To the end that the public debt of South Carolina may not hereafter be increased, without the due consideration and free consent of the people of the State, the General Assembly is hereby forbidden to create any further debt or obligation, either by the loan of the credit of the State by guaranty, endorsement, or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guaranty, endorsement, or loan of its credit to the people of this State, at a general State election; and, unless two-thirds of the qualified voters of this State, voting on the question, shall be in favor of a further debt, guaranty, endorsement, or loan of its credit, none shall be created or made,” be, and the same is hereby, ratified and made a part of the Constitution of the State of South Carolina.

Approved January 29, 1873.

A. D. 1873.

Majority of electors voted in favor of said Article.

Said Article declared part of the State Constitution.

JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA RELATIVE TO THE TIME OF HOLDING ELECTIONS.

No. 10.

Whereas, Article XV of the Constitution of the State of South Carolina, provides that an amendment or amendments may be made

Preamble.



A. D. 1873.

to the same; and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House; such amendment and amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and that the same shall be submitted to the qualified electors of the State, at the next general election thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments, by yeas and nays, the same shall become part of the Constitution: *Provided*, That such amendment or amendments shall have been read three times, on their several days, in each House; and whereas, the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina, which was agreed to by two-thirds of its members, to wit: Strike out all that portion of Section 11, Article 2, following the words "eighteen hundred and seventy," occurring in the fourth and fifth lines, and insert the following: "And forever thereafter on the first Tuesday following the first Monday in November, in every second year, in such manner and such place as the Legislature may provide;" and whereas the said proposed amendment has been submitted to the electors, qualified to vote for members of the General Assembly at "the next general election" following the action of the General Assembly, and a majority of the said electors have voted in favor of the same; therefore,

Majority of electors voted in favor of said amendment.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, to wit: "Strike out all that portion of Section 11, Article 2, following the words "eighteen hundred and seventy, occurring in the fourth and fifth lines," and insert the following: "And forever thereafter on the first Tuesday following the first Monday in November, in every second year, in such manner, and in such place, as the Legislature may provide," be, and the same is hereby, ratified, and made a part of the Constitution of the State of South Carolina.

Amendment changing election from October to November made part of Constitution of the State.

Approved January 29, 1873.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHLAND COUNTY TO LEVY AND COLLECT TAXES TO BUILD A COURT HOUSE WITHIN AND FOR SAID COUNTY.

A. D. 1873.

No. 11.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County be, and they are hereby, authorized to levy and cause to be collected special taxes upon all the taxable property in the said County, that is to say, within the fiscal year commencing November 1, 1873, a tax of one and one-half mills on the dollar, and in the fiscal year commencing November 1, 1874, of one mill on the dollar, all the same money to be used exclusively in and about building a Court House within and for the said County, as authorized by law.

1½ mills for  
fiscal year 1873-  
74.

1 mill for fiscal  
year 1874-75.

Approved February 14, 1873.

JOINT RESOLUTION TO ALLOW THE HEIRS OF THE ESTATE OF JAMES PHILLIPS, IN DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

No. 12.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the heirs of the estate of James Phillips, in the County of Darlington, be, and they are hereby, allowed to redeem certain lands formerly owned by the said estate, in the said County, consisting of 350 acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that the said heirs shall pay over to the County Treasurer of Darlington County, all taxes, penalties and costs which are due upon the same, after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Darlington.

James Phillips  
allowed to re-  
deem forfeited  
lands.

Auditor to ex-  
punge same from  
forfeited land re-  
cord.

Approved February 20, 1873.

A. D. 1873.

No. 13.

## JOINT RESOLUTION TO ALLOW THOMAS SANSBURY, OF DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

Thomas Sansbury to redeem certain forfeited lands.

Auditor to expunge same from forfeited land record.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas Sansbury, of the County of Darlington, be, and he is hereby, allowed to redeem certain lands, formerly owned by him in said County, consisting of 340 acres, more or less, which have been forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he shall pay over to the County Treasurer of Darlington County all taxes, penalties and costs which are due upon the same; after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Darlington.

Approved February 20, 1873.

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No. 14.

## JOINT RESOLUTION TO ALLOW JOHN J. ROACH, OF KERSHAW COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

J. J. Roach to redeem forfeited lands.

Auditor to expunge same from forfeited land record.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John J. Roach, of the County of Kershaw, be, and he is hereby, allowed to redeem certain lands owned or held by him in said County, consisting of one hundred acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes, and the want of bidders on the same, on condition that he shall pay over to the County Treasurer of Kershaw County all taxes, penalties and costs which are due upon the same; after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Kershaw.

Approved February 20, 1873.

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No. 15.

## JOINT RESOLUTION TO ALLOW THE HEIRS OF THE ESTATE OF JOHN FIELDS, IN DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General As-

sembly, and by the authority of the same, That the heirs of the estate of John Fields, in the County of Darlington, be, and the same are hereby, allowed to redeem certain lands, formerly owned by the said estate, in said County, consisting of 769 acres, more or less, which have been forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that the heirs of the said estate of John Fields shall pay over to the County Treasurer of Darlington County all taxes, penalties and costs which are due upon the same; after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Darlington.

A. D. 1873.

J. Fields to redeem forfeited lands.

Auditor to expunge same from forfeited land record.

Approved February 20, 1873.

JOINT RESOLUTION TO ALLOW DAVID COOK, OF KERSHAW COUNTY, TO REDEEM CERTAIN FORFEITED LANDS. No. 16.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David Cook, of Kershaw County, be, and he is hereby, allowed to redeem certain lands formerly owned by him in said County, consisting of one hundred acres, more or less, which have been forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he shall pay over to the County Treasurer of Kershaw County all taxes, penalties and costs which are due upon the same; after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Kershaw.

David Cook to redeem forfeited lands.

Auditor to expunge same from forfeited land record.

Approved February 20, 1873.

JOINT RESOLUTION TO ALLOW MRS. MARY A. A. McLAUGHLIN, OF DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS. No. 17.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mrs.



A. D. 1873.

Mrs. M. A. A. McLaughlin to redeem forfeited lands.

Auditor to expunge same from forfeited land record.

Mary A. A. McLaughlin, of the County of Darlington, be, and she is hereby, allowed to redeem certain lands formerly owned by her, in said County, consisting of 479 acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that she shall pay over to the County Treasurer of Darlington County, all taxes, penalties, and costs, which are due upon the same; after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Darlington.

Approved February 20, 1873.

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No. 18. JOINT RESOLUTION TO REFUND TO ALEXANDER WILLIFORD, OF YORK COUNTY, CERTAIN EXCESSIVE TAXES PAID BY HIM.

Refund of excessive taxes to A. Williford.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to refund and pay to Alexander Williford, of York County, thirty-eight dollars and twelve cents by him paid, in excess, upon an erroneous assessment of his lands, in Chester County, for the year 1868, out of any fund not otherwise appropriated.

Approved February 21, 1873.

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No. 19. JOINT RESOLUTION AUTHORIZING A. R. TAYLOR, HENRY ARTHUR AND OTHERS, OF LEXINGTON COUNTY, TO CONTINUE, FOR A TERM OF FOUR YEARS, TWO GATES ERECTED BY THEM ACROSS THE OLD STATE ROAD AND THE BARNWELL ROAD, IN SAID COUNTY, AT THE BEGINNING AND TERMINATION OF THEIR PLANTING LAND.

A. R. Taylor to erect gates across State road

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized to grant permission to A. R. Taylor, Henry Arthur and others, of the County of Lexington, if in their judgment they deem proper, to continue for a term of four years, or for any less period, two gates

erected by them across the Old State Road and the Barnwell Road, in said County, at the beginning and termination of their planting land.

A. D. 1875.

Approved February 21, 1873.

JOINT RESOLUTION TO PROVIDE AN APPROPRIATION FOR THE FINAL PAYMENT ON LANDS PURCHASED BY THE STATE IN DARLINGTON COUNTY. No. 20.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there be, and there is hereby, appropriated, for the final payment upon two tracts of land, known as the Back Swamp and Furman Tracts, purchased by order of the State Land Commissioner, for and on account of the State, in the County of Darlington, comprising, in the aggregate, 1,497 acres, more or less, the sum of twenty-six hundred dollars, (\$2,600,) and the State Treasurer is hereby authorized and instructed to pay the same out of any moneys not otherwise appropriated: *Provided*, That the money so appropriated be paid directly to the parties holding the mortgage on said land: *Provided, further*, That no part of this appropriation shall be paid until good and sufficient titles shall have been first obtained for the land herein specified.

\$2,600 for final payment on land in Darlington.

Proviso.

Approved February 21, 1873.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO LEVY A SPECIAL TAX. No. 21.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Beaufort County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar, on all the taxable property of said County, for the year ending October 31st, 1872, and continue the collection of the same each succeeding year until the sum of thirty-seven thousand dollars (\$37,000) shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said Beaufort County.

2 mills for past indebtedness.

SEC. 2. That all persons holding claims against said County be,

A. D. 1873.

All claims to be filed.

Claims payable in order of priority.

Penalty for malfeasance.

and they are hereby, required to file a list of such claims, with the amount and date thereof, in the office of the County Treasurer, within thirty days from and after the passage of this Joint Resolution.

SEC. 3. That it shall be the duty of the Treasurer to pay said claims in the order of their priority.

SEC. 4. Any officer authorized and empowered to carry out the provisions of this Joint Resolution who shall fail in any respect in the performance of such duty, shall be deemed to have committed a malfeasance in office, and upon conviction, shall forfeit his office, and shall be subject to a fine of not less than one hundred nor more than one thousand dollars, at the discretion of the Court.

Approved February 26, 1873.

No. 22. JOINT RESOLUTION TO ALLOW MRS. FRANCES IRENE QUIRK, OF DARLINGTON COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

Mrs. Quirk to redeem forfeited land.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mrs. Frances Irene Quirk, of the County of Darlington, be, and she is hereby, allowed to redeem certain lands, formerly owned by her, in said County, consisting of one thousand and fifty acres, more or less, which have become forfeited to the State, by virtue of the non-payment of taxes by the tenants on the same, who agreed so to do, and for want of bidders at the sale of the same, on condition that she shall pay over to the County Treasurer of the County of Darlington, all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County.

Auditor to expunge same from forfeited land record.

Approved February 27, 1873.

No. 23. JOINT RESOLUTION TO ALLOW E. W. BRADDY, OF ORANGEBURG COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

E. W. Braddy to redeem forfeited land.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. W. Braddy, of the County of Orangeburg, be, and he is hereby, allowed to redeem certain lands formerly owned by him in said County, consisting of sixty (60) acres, more or less, which have become forfeited to the

State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he shall pay over to the County Treasurer of Orangeburg County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of Orangeburg County.

A. D. 1873.

Auditor to expunge same from forfeited land record.

Approved February 27, 1873.

JOINT RESOLUTION TO ALLOW D. P. JOHNSON, OF KERSHAW COUNTY, TO REDEEM CERTAIN FORFEITED LANDS. No. 24.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. P. Johnson, of the County of Kershaw, be, and he is hereby, allowed to redeem certain lands owned by him in said County, consisting of one hundred (100) acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that he shall pay over to the County Treasurer of Kershaw County all taxes, penalties and costs, which are due upon the same; after which, the County Auditor shall expunge the said lands from the forfeited land record of the County of Kershaw.

D. P. Johnson to redeem forfeited land.

Auditor to expunge same from forfeited land record.

Approved February 27, 1873.

JOINT RESOLUTION TO ALLOW M. DOLIN, OF ORANGEBURG COUNTY, TO REDEEM CERTAIN FORFEITED LANDS. No. 25.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. Dolin, of the County of Orangeburg, be, and he is hereby, allowed to redeem certain lands formerly owned by him in said County, consisting of one hundred and fifty (150) acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he

M. Dolin to redeem forfeited land.



A. D. 1873.

Auditor to expunge same from  
forfeited land  
record.

shall pay over to the County Treasurer of Orangeburg County, all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Orangeburg.

Approved February 27, 1873.

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No. 26. JOINT RESOLUTION TO ALLOW THOMAS GRIMSHAW TO REDEEM CERTAIN FORFEITED LANDS IN OCONEE COUNTY.

Thomas Grimshaw to redeem  
forfeited land.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas Grimshaw be, and he is hereby, allowed to redeem certain lands formerly owned by him in the County of Oconee, consisting of eleven hundred and seventy (1170) acres, more or less, which have become forfeited to the State (when erroneously listed as the property of one Lewis Wernicke) by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that the said Thomas Grimshaw shall pay over to the County Treasurer of Oconee County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Oconee.

Auditor to expunge same from  
forfeited land  
record.

Approved February 27, 1873.

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No. 27. JOINT RESOLUTION REQUIRING ALL PERSONS HOLDING CLAIMS AGAINST THE COUNTY OF ABBEVILLE, TO REGISTER THE SAME WITH THE TREASURER OF SAID COUNTY.

Claims to be  
registered with  
County Treasurer.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons holding claims against the County of Abbeville are hereby required to file with the Treasurer of said County, within thirty days from the passage of this Act, a statement of the date and amount of such claims.

Approved February 27, 1873.

JOINT RESOLUTION TO INSTRUCT THE TRUSTEES OF THE STATE ORPHAN ASYLUM TO INVITE PROPOSALS FOR A SITE AND BUILDING, AND FOR THE APPROPRIATION OF TWENTY THOUSAND DOLLARS THEREFOR.

A. D. 1873.

No. 28.

Whereas, the State Orphan Asylum in the city of Charleston claims the fostering care of the State, and some provision is urgently needed for a better building, and a more suitable site; therefore,

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon the passage of this Act the Trustees of the State Orphan Asylum be, and they are hereby, authorized and required to advertise, for sixty days, for proposals from the various cities, towns, and Counties of the State, for a site, and building, for an Orphan Asylum, at a cost not to exceed the sum of twenty thousand dollars. That said proposals shall, at the expiration of the aforesaid time, be opened and considered by the Trustees, who shall decide upon the location and contract with the lowest responsible bidder for the purchase of the site and construction of the building, and report their proceedings in detail to the next session of the General Assembly.

Trustees to advertise for proposals for site.

To decide on location and construct for building, &amp;c.

SEC. 2. That the sum of twenty thousand dollars, if so much be necessary, be, and the same is hereby, appropriated for the purchase of the said site, and construction of the building: *Provided*, That said Trustees shall each give a bond in the penal sum of two thousand dollars, with two good sureties, for the faithful discharge of the duties herein entrusted to them; said bond to be approved by the Judge of the First Judicial Circuit, and filed in the office of the Clerk of Court.

\$20,000 appropriated therefor.

To give bond, by whom approved.

Approved February 27, 1873.

JOINT RESOLUTION TO PROVIDE FOR THE ERECTION AND CONSTRUCTION OF A GUARD HOUSE AND MARKET IN THE TOWN OF HAMBURG, SOUTH CAROLINA, AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX FOR SAID PURPOSE.

No. 29.

Whereas the Town of Hamburg, in the County, of Aiken, State of South Carolina, stands in great need of the necessary and suitable accommodations for a guard house and market in said town; and whereas its current tax is inadequate to meet the cost of the

Preamble.

A. D. 1873.

erection thereof, and it is doubtful if the Town Council has authority to levy an additional tax therefor; therefore,

Council to build  
guard house and  
market.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Hamburg be, and the same is hereby, authorized and empowered to build, erect and construct a guard house and market in some suitable and convenient place within the corporate limits of said town, and make all necessary and proper contracts to accomplish and carry out the same.

Special tax  
therefor.

SEC. 2. That for the purpose of carrying out the provision of Section 1, the Town Council be authorized to levy and collect a special tax of fifty cents on the one hundred dollars on all taxable property within the corporate limits of said town: *Provided*, That one-half of said tax be collected in the year 1873, and the other in 1874.

Proviso.

SEC. 3. That all Acts, or parts of Acts, inconsistent with this Joint Resolution, be, and the same are hereby, repealed.

Approved February 27, 1873.

No. 30. JOINT RESOLUTION AUTHORIZING AND PERMITTING RIDLEY K. CARLTON, A TRIAL JUSTICE OF BEAUFORT COUNTY, TO CHANGE HIS DOMICILE.

Removal of  
domicile.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Ridley K. Carlton, a Trial Justice in and for the County of Beaufort, be, and he is hereby, authorized and permitted to change his domicile to the town of Beaufort.

Approved February 27, 1873.

# ACTS OF THE GENERAL ASSEMBLY

## OF THE

# STATE OF SOUTH CAROLINA

*Passed at the Special Session which was begun and held  
at the City of Columbia on the twenty-first day of  
October, A. D. 1873, and was adjourned  
without day on the twenty-fourth day  
of November, A. D. 1873.*

FRANKLIN J. MOSES, Jr., Governor. R. HOWELL GLEAVES,  
President of the Senate. SAMUEL J. LEE, Speaker of the  
House of Representatives.

A. D. 1873.

AN ACT TO REPEAL SECTION FOUR (4) OF AN ACT ENTITLED  
"AN ACT TO RELIEVE THE STATE OF SOUTH CAROLINA OF ALL  
LIABILITY FOR ITS GUARANTY OF THE BONDS OF THE BLUE  
RIDGE RAILROAD COMPANY BY PROVIDING FOR THE SECURING  
AND DESTRUCTION OF THE SAME," APPROVED MARCH 2, 1872;  
AND TO REPEAL SO MUCH OF SECTION 72, CHAPTER XII, TITLE  
III, OF THE GENERAL STATUTES AS AUTHORIZES THE STATE  
AUDITOR TO GIVE NOTICE ANNUALLY TO EACH COUNTY AUD-  
ITOR OF THE RATES PER CENTUM TO BE LEVIED FOR VARIOUS  
STATE PURPOSES.

No. 388.

SECTION 1. *Be it enacted* by the Senate and House of Repre-  
sentatives of the State of South Carolina, now met and sitting in  
General Assembly, and by the authority of the same, That Section  
four (4) of an Act entitled "An Act to relieve the State of South  
Carolina of all liability for its guaranty of the bonds of the Blue  
Ridge Railroad Company by providing for the securing and destruc-  
tion of the same," approved March 2, 1872, providing for an annual  
tax of three mills on the dollar for the redemption of the revenue  
bond scrip, be, and the same is hereby, repealed.

Repeal of  
Section 4, levy-  
ing annual tax  
for redemption  
of revenue  
bond scrip.



A. D. 1873.

Repeal of  
authority to  
State Auditor  
to give notice  
of rates per  
centum.  
Comptroller  
General not to  
levy any tax  
without ex-  
press authority

SEC. 2. That so much of Section seventy-two (72), Chapter X Title III, as directs that the State Auditor shall, on or before November fifteenth, annually, give notice to each County Auditor of the rates per centum authorized by law to be levied for various State purposes be, and the same is hereby, repealed, and the Comptroller General is hereby forbidden to levy any tax for any purpose whatever, unless expressly hereafter authorized so to do by statute.

Approved October 22, 1873.

No. 389. AN ACT TO REVIVE, RENEW AND AMEND AN ACT ENTITLED  
"AN ACT TO INCORPORATE THE HOME INSURANCE COMPANY,  
OF CHARLESTON."

Charter of  
Home Insur-  
ance Company  
renewed and  
amended.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the General Assembly of the said State entitled "An Act to incorporate the Home Insurance Company, of Charleston," be, and the same is hereby, revived, renewed and extended from the passage hereof, with the following alterations and amendments, viz.: Section 5, strike out the words "one year" and insert in lieu the words "two years." Section 8, after the word "*respondentia*," insert the words "or other securities." Section 14, strike out the words "one year" and insert in lieu thereof "two years."

Approved November 7, 1873.

No. 390. AN ACT TO INCORPORATE THE REFORM APOLLO SOCIETY, OF  
CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Nathaniel T. Spencer, Robert Howard, Jr., Alfred F. Castion, Edward P. Wall, Jr., Theodore L. Castion, Peter Grant, Eugene M. Castion, Claudius Elliott, their associates and successors, are hereby made Corporators. and created a body politic and corporate, under the name and style of "The Reform Apollo Society, of Charleston, South Carolina."

Corporate  
name.

SEC. 2. And said corporation shall have power to make by-laws not repugnant to the laws of the land, and shall have succession of officers and members according to their election; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporations. And it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to it or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

A. D. 1873.

Powers and  
privileges.

SEC. 3. That said corporation may from time to time invest moneys, assets or any property which it may acquire in such real and personal property, bonds, stocks, or in sureties, in such sums and on such terms and conditions as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed thirty-five thousand (\$35,000) dollars.

Investment  
of money, &c.

SEC. 4. This Act shall continue in force until repealed; may be given and taken in evidence without being especially pleaded.

Approved November 7, 1873.

AN ACT TO INCORPORATE THE PLEASANT HILL BAPTIST CHURCH, OF EDGEFIELD COUNTY. No. 391.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lyms Simmons, John A. Barker, Augustus Simkins, David Graham, Paris Simkins, and all persons who now are or who hereafter shall or may become members of the said society, shall be, and they are hereby, incorporated and declared to be a body corporate, by the name and style of the Pleasant Hill Baptist Church, of Edgefield County, and by that said name shall have succession of officers and members and have a common seal.

Corporators.

Corporate  
name.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate for the purposes of this Act, not exceeding in value the sum of ten thousand dollars, or to sell the same, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient. Said society shall have all power and be subject to all the liabilities and

Powers and  
privileges.

A. D. 1873. restrictions of the Act to regulate the formation of corporations, so far as applicable.

SEC. 3. That this Act be deemed a public Act and shall continue in force until repealed.

Approved November 7, 1873.

NO. 392. AN ACT TO CHARTER AND MAKE PUBLIC KIRBY'S CROSS ROAD TO THE BIG PEE DEE RIVER ROAD, MARION COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Kirby's Cross Road to the Big Pee Dee River Road, in Marion County, be, and the same is hereby, chartered and made public.

Approved November 7, 1873.

NO. 393. AN ACT TO INCORPORATE THE GOOD WILL PRESBYTERIAN CHURCH AND EBENEZER PRESBYTERIAN CHURCH, OF SUMTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the "Good Will Presbyterian Church, of Sumter County," and "Ebenezer Church, of Sumter County," be, and they hereby are declared to be, bodies politic and corporate, under the name and style of the "Good Will Presbyterian Church, of Sumter County," and the "Ebenezer Presbyterian Church, of Sumter County," with all the rights and privileges and subject to all the liabilities that now are or may be hereafter provided for by law for corporations of like nature.

SEC. 2. That this Act shall be deemed a public Act and remain in force until repealed.

Approved November 7, 1873.

NO. 394. AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF EXPENSES OF PRINTING.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of seventy-five thousand dollars be, and is hereby, appropriated for

\$75,000 appropriated for printing Immigration Report.

the compilation and printing of the Report on Immigration ordered by the General Assembly at the session 1872-73.

A. D. 1873.

SEC. 2. That the sum of twenty-five thousand dollars be, and is hereby, appropriated for the payment of printing the decisions of the Supreme Court.

\$25,000 appropriated for printing Supreme Court decisions.

SEC. 3. That the sum of twenty-five thousand dollars be, and is hereby, appropriated for the printing of the tax duplicates, returns and other necessary papers for the assessment and collection of taxes for the fiscal year 1873-74.

\$25,000 appropriated for printing tax duplicates.

SEC. 4. That the State Treasurer be, and he is hereby, authorized and directed to issue to the Republican Printing Company certificates of indebtedness to the amount of the above appropriations, and also for the balance due said company, one hundred thousand five hundred and eighty-nine dollars sixty-three cents, with interest, appropriated by the General Assembly for printing at the session of 1872-73.

State Treasurer to issue certificates of indebtedness for above appropriations. Also for balance due said company, with interest.

SEC. 5. That the sums hereby appropriated be paid on the certificates of the Clerks of the two Houses, said certificates of indebtedness to be receivable in payment of all dues to the State, and redeemable at the State Treasury out of the incoming taxes, except taxes levied for school purposes and interest on the public debt.

Appropriations on whose order payable. Certificates of indebtedness receivable for taxes, and redeemable in currency.

Approved November 19, 1873.

# AN ACT TO MAKE AN APPROPRIATION TO PAY THE CLAIMS OF THE SOUTH CAROLINA BANK AND TRUST COMPANY AGAINST THE STATE OF SOUTH CAROLINA. No. 395.


SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred and twenty-five thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, bills payable or Treasury notes of the late State Treasurer, Niles G. Parker, interest on loans and other evidences of indebtedness, held as claims by the South Carolina Bank and Trust Company against the State of South Carolina.

\$125,000 appropriated for payment of claims of South Carolina Bank and Trust Company.

SEC. 2. That the State Treasurer be, and he is hereby, directed and required, on the presentation by the President of the South Carolina Bank and Trust Company, Hardy Solomon, Esq., or his authorized agent, at his counter, of the said claims of the said Bank and Trust Company, to pay the same, with all lawful interest that may

State Treasurer to pay said claims, with lawful interest.



A. D. 1873.  have accrued upon said claims: *Provided*, That the amount of said claims and interest shall not exceed the appropriation herein made.

To retain money from incoming taxes for that purpose.

SEC. 3. That the State Treasurer be, and he is hereby, directed and required to retain in the Treasury sufficient money, from incoming taxes, to meet and pay the demands or the claims of the said Bank and Trust Company as herein provided for.

Approved November 19, 1873.

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No. 396. AN ACT TO INCORPORATE THE ENTERPRISE FIRE ENGINE COMPANY, OF COLUMBIA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Enterprise Fire Engine Company, and the several persons who are now or may hereafter be officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and title of the Enterprise Fire Engine Company, and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided, however*, That the property so to be held shall not exceed the annual value of fifteen thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved November 19, 1873.

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No. 397. AN ACT TO AUTHORIZE AND PERMIT THE SULLIVAN'S ISLAND COMPANY TO ERECT AND BUILD A WHARF AND FERRY HOUSE IN THE COVE OF MOULTRIEVILLE, ON SULLIVAN'S ISLAND.

Sullivan's Island Ferry Company to erect wharf and ferry house in the cove of Moultrieville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sullivan's Island Ferry Company be, and are hereby, authorized

and permitted to erect and build a wharf and ferry house in the cove of Moultrieville, on Sullivan's Island, and to use and occupy the same for and during the corporate existence of the said company.

A. D. 1873.

Approved November 19, 1873.

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AN ACT TO ENABLE RICHARD C. WATTS TO APPLY FOR AD- No. 398.  
MISSION TO THE BAR.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard C. Watts, a minor, of the age of twenty years, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and, if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina, to persons applying for permission to practice as attorney at law.

Richard C. Watts enabled to apply for admission to the bar.

If qualified, entitled to practice as attorney at law.

Approved November 19, 1873.

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AN ACT TO AMEND SECTIONS 14, 21 AND 35 OF THE ACT EN- No. 399.  
TITLED "AN ACT TO REGULATE THE MANNER OF DRAWING JURIES," APPROVED MARCH 10, 1871, BEING SECTIONS 17 AND 24 OF CHAPTER CXI, AND SECTION 3 OF CHAPTER CXXXIX OF THE GENERAL STATUTES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of the Act entitled "An Act to regulate the manner of drawing juries," approved March 10, 1871, being Section 17, Chapter CXI, of the General Statutes be, and the same is hereby, amended by inserting the word "twenty" in the second line in lieu of the word "fifteen."

Jury law amended.

"Twenty" inserted in lieu of "fifteen."

SEC. 2. That Section 21 of said Act, being Section 24, Chapter CXI, of the General Statutes, be amended so as to read as follows: "Whenever it may be necessary to summon jurors from the bystanders, the Sheriff and Clerk shall each furnish to the presiding Judge a list containing as many names as there are jurors required of persons duly qualified to serve as jurors, and the presiding Judge shall select therefrom those best fitted to serve as jurors, who

Jurors from bystanders—by whom and in what manner summoned.

A. D. 1873. shall forthwith be summoned by the Sheriff to serve until discharged by order of the Court."

Grand jurors,  
in case of defi-  
ciency, how  
summoned.

SEC. 3. That Section 35 of said Act, being Section 3 of Chapter CXXXIX of the General Statutes, be amended so as to read as follows: "In case of deficiency of grand jurors in any Court, a number of persons duly qualified to serve as such shall be summoned from the bystanders, and shall be selected in the same manner as provided in Section 2 of this Act."

Approved November 19, 1873.

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NO. 400. AN ACT TO INCORPORATE THE HUNTER'S CHAPEL BAPTIST CHURCH, IN BARNWELL COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. W. Hunter, J. B. Hunter, J. W. Brown, M. Studley, J. G. Renty, John Blume, G. M. Hunter, and all persons who now are or who hereafter shall or may become members of the said society, shall be, and they are hereby, incorporated and declared to be a body corporate, by the name and style of the Hunter's Chapel Baptist Church, in Barnwell County, and by that said name and style shall have succession of officers and members and have a common seal.

Corporate  
name.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, lease or convey the same, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient, and may sue and be sued in any Court of this State.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved November 19, 1873.

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NO. 401. AN ACT TO AMEND CHAPTER CXXXI, PART IV, TITLE I, OF THE GENERAL STATUTES OF SOUTH CAROLINA.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter CXXXI, Part IV, Title I, of the General Statutes of the State of South Carolina be, and the same is hereby, amended by the following additional



Section, viz.: "If any Circuit Solicitor, who shall, while in the public discharge of the duties of his office, be drunk or intoxicated, or in any extent disabled, by reason of the use of intoxicating liquors, from the proper discharge of his duties, shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine of not less than one hundred or more than one thousand dollars, and imprisoned not less than one month or more than one year, in the discretion of the Court, and be dismissed from his office. And whenever it shall be brought to the attention of the Attorney General that any Circuit Solicitor has been charged with the offense mentioned in Section 1 of this Act, it shall be his duty to prepare a bill of indictment against such officer and prosecute the same in the County where the offense was committed; and if said officer is duly convicted, he shall cause to be forwarded to the Governor of the State a record of such conviction, upon the receipt of which the Governor shall forthwith declare the said office to be vacant and order an election to fill the same."

A. D. 1873.

Circuit Solicitors—punishment of, if disabled from intoxication to perform their duties.

Attorney General to prosecute Solicitors for intoxication.

If convicted, the Governor to declare office vacant and order new election.

Approved November 19, 1873.

AN ACT TO AMEND SECTION 32 OF CHAPTER XLII OF GENERAL No. 402.  
STATUTES OF THE STATE OF SOUTH CAROLINA.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 32 of Chapter XLII of the General Statutes of the State of South Carolina be, and the same is hereby, amended by striking out the second proviso to the end of the Section and inserting in lieu thereof the following: "*Provided*, That no professor of the University shall receive any increase of salary on account of services rendered in said preparatory school."

Law relative to South Carolina University amended.

Professors of University not to receive additional pay for services in Preparatory School.

Approved November 19, 1873.

AN ACT TO EXPLAIN OR AMEND AN ACT ENTITLED "AN ACT No. 403.  
TO AUTHORIZE ALIENS TO HOLD PROPERTY."

Whereas doubts have been suggested whether the Act to authorize aliens to hold property was intended to include corporations created under the laws or by the authority of other States and nations; therefore,

Preamble.



A. D. 1873.

Foreign corporations to exercise all rights and privileges granted to aliens.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That corporations created under the laws, or by the authority of other States and nations were intended to have, and shall have and exercise, all rights granted to aliens under the Act aforesaid as fully as if they had been specially therein named.

Approved November 19, 1873.

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No. 404. AN ACT TO PUNISH PERSONS FOR THE REMOVAL OR SECRETING OF PERSONAL PROPERTY LEVIED ON BY THE SHERIFF OR OTHER OFFICERS.

Fraudulent secretion or removal of personal property under attachment a misdemeanor.

How punishable.

Proviso.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whoever, with intent to defraud, removes or secretes personal property which has been attached or levied on by the Sheriff or any other officer authorized by law to make such attachment or levy shall be held guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment in the County jail for a period not less than sixty days nor more than one year, or by fine of not less than one hundred dollars nor more than two hundred: *Provided*, That the person whose property is attached or levied upon shall have been duly served with a copy of the writ of attachment.

Approved November 19, 1873.

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No. 405. AN ACT TO CHANGE THE NAME OF NATHANIEL E. WALL AND CUYLER HAMILTON WALL TO NATHANIEL E. MCCOY AND CUYLER H. MCCOY.

Nathaniel E. and Cuyler H. Wall—names changed to McCoy.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Nathaniel E. Wall and Cuyler Hamilton Wall, of Beaufort County, be, and they are hereby, changed to Nathaniel E. McCoy and Cuyler H. McCoy, and that hereafter the said Nathaniel E. Wall and Cuyler Hamilton Wall shall be known and called Nathaniel E. McCoy and Cuyler H. McCoy.

Approved November 19, 1873.

AN ACT TO ENABLE T. MOULTRIE MORDECAI TO APPLY FOR  
ADMISSION TO THE BAR. A. D. 1873.  
No. 406.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. Moultrie Mordecai, a minor under the age of twenty-one years, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and, if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina to persons applying for permission to practice as attorneys at law.

T. Moultrie Mordecai may apply for admission to the bar.  
If qualified, to practice as attorney at law

Approved November 19, 1873.

AN ACT TO INCORPORATE THE COLORED BAPTIST CHURCH, OF SUMMERVILLE. No. 407.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Anthony Allston, A. C. Rivers, Shadrack Street, Chance Adams and Clinton Matthews, and their associates and successors, are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Colored Baptist Church, of Summerville," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and amend the same as often as the said corporation shall deem necessary.

Corporators.  
Corporate name.

SEC. 2. That the aforesaid corporation shall be legally capable to purchase, have, hold, enjoy, possess and retain to itself, in perpetuity or for any term of years, any land for the purpose it shall consider necessary, or other property, not exceeding the value of twenty thousand dollars, (\$20,000,) or to sell or alien the same as the said corporation shall think fit; and by its corporate name to sue and be sued, implead, and be impleaded in any Court of law or equity in this State, and to make such laws and by-laws for its government as shall not be repugnant to the laws of the land.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act and continue in force until repealed.

Approved November 19, 1873.

A. D. 1873.

No. 408.

AN ACT TO INCORPORATE THE ORANGEBURG LUTHERAN CHURCH,  
OF ORANGEBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

Corporators. persons who now are or may hereafter become members of the Orangeburg Lutheran Church be, and they are hereby declared to be, a body politic and corporate, by the name and style of the "Orangeburg Lutheran Church."

Corporate name.

SEC. 2. That the said corporation shall have succession of trustees, officers and members according to their by-laws, and shall have power to make by-laws not repugnant to the laws of the land; and to have, use and keep a common seal and the same at will to alter; to sue and be sued, plead and be impleaded, in any of the Courts of the State; and to have and enjoy every right, power and privilege incident to such corporations; and they are hereby empowered to hold, retain, possess and enjoy all such property as they now have and possess or be entitled to, or which shall hereafter be given, bequeathed or devised to them, or in any manner acquired by them, and to sell, alien or transfer the same or any part thereof.

Powers and privileges.

SEC. 3. This Act shall be deemed a public Act and remain in force until repealed.

Approved November 19, 1873.

No. 409. AN ACT TO INCORPORATE THE LOVE AND GOOD WILL SOCIETY,  
OF AIKEN COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. F. Holland, D. Williams, Lewis Moore, Handy Jenkins, and others who now are or may become members and officers of the Love and Good Will Society, of Aiken County, South Carolina, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, under the name and style of the Love and Good Will Society, of Aiken County, South Carolina; and the said corporation shall, by its corporate name, sue and be sued, implead and be impleaded, in any Court of this State; and shall be able and empowered by law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of what kind and nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Pro-*

Corporators.

Corporate name.

Powers and privileges.

vided, however, That the property so held shall not exceed the value of five thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

A. D. 1873.

Property held  
not to exceed  
\$5,000.

SEC. 2. That the said society shall make such by-laws as shall be to the benefit of the said society, and be protected therein: *Provided*, Such by-laws shall not be repugnant to the laws of the State.

SEC. 3. That this Act shall be deemed a public Act and shall continue in force until repealed.

Approved November 19, 1873.

AN ACT TO PERMIT SAMUEL A. HUTCHINSON TO ADOPT AND MAKE HIS LAWFUL HEIR MARY SAVANNAH REED, AND TO CHANGE THE NAME OF THE SAID MARY SAVANNAH REED TO MARY SAVANNAH HUTCHINSON. No. 410.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel A. Hutchinson is hereby authorized and empowered to adopt and make his lawful heir Mary Savannah Reed, and that the name of the said Mary Savannah Reed shall be changed to Mary Savannah Hutchinson.

Mary Savan-  
nah Reed,  
name changed  
to Hutchinson,  
and made law-  
ful heir.

Approved November 19, 1873.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF EXPENSES OF THE EXTRA SESSION OF THE GENERAL ASSEMBLY, AND FOR OTHER PURPOSES. No. 411.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the payment of the members of the General Assembly, subordinate officers and employees for this extra session, the sum of seventy-five thousand dollars be, and is hereby, appropriated; and that the Clerks of the Senate and House of Representatives, respectively, be, and they are hereby, authorized and directed to furnish to each of the members of their respective houses a pay certificate at the rate of six dollars per day, together with mileage, and for the subordinates and employees and incidental expenses at the usual rates proportioned to the length of the extra session.

Seventy-five  
thousand dol-  
lars appropri-  
ated.

Clerks of  
House and  
Senate to fur-  
nish certifi-  
cates.

SEC. 2. That such certificates shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall



A. D. 1873.

Certificates  
to conform to  
Section 23, Ar-  
ticle II, of the  
Constitution.

be certified by the President of the Senate and attested by the Clerk of the Senate for all members of that body, and by the Speaker of the House of Representatives and by the Clerk of the same for all members of that body.

Certificates for  
services ren-  
dered common  
to both houses  
to be signed by  
the Speaker  
and President  
of the Senate.

SEC. 3. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with pay certificates in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall belong: *Provided, however,* That the pay certificates for services rendered common to the two houses shall be signed by the President of the Senate and countersigned by the Speaker of the House of Representatives.

Fifty thou-  
sand dollars  
appropriated  
for printing  
expenses.

SEC. 4. That the sum of fifty thousand dollars be, and is hereby, appropriated for the current and permanent printing of the extra session, to be paid on the orders of the Clerks of the two houses.

Treasurer to  
pay certificates  
prior to any  
other claims.

SEC. 5. That the Treasurer be, and he is hereby, authorized and directed to pay the said certificates at his counter prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury sufficient money from incoming taxes to meet the demands of such certificates.

Approved November 19, 1873.

## JOINT RESOLUTIONS.

No. 1. JOINT RESOLUTION TO CONFER UPON MRS. S. A. McBRIDE, EXECUTRIX OF THE ESTATE OF JAMES McBRIDE, DECEASED, THE SAME POWERS CONFERRED UPON J. A. MAYES, EXECUTOR OF SAID McBRIDE, BY A JOINT RESOLUTION APPROVED JANUARY 31, 1872.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the same powers which were conferred upon J. A. Mayes, executor of the estate of James McBride, deceased, by a Joint Resolution entitled "Joint Resolution authorizing J. A. Mayes, executor of the estate of James McBride, deceased, to sell certain lands and apply the proceeds thereof to the education of the minor heirs," approved January 31, 1872, be, and the same are hereby, conferred upon Mrs. S. A. McBride, executrix of the said McBride, and she be authorized to act in connection with said J. A. Mayes, after having first given the bond required by said Joint Resolution.

Mrs. S. A.  
McBride to act  
with J. A.  
Mayes in dis-  
charge of cer-  
tain duties.

Approved November 7, 1873.

JOINT RESOLUTION TO CHANGE THE NAME OF McCAULEY  
JAMES WHITE TO THAT OF JAMES McCAULEY.

A. D. 1873.

No. 2.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of McCauley James White, of Clarendon County, be changed to James McCauley, and that hereafter the said McCauley James White shall be known and called James McCauley.

McCauley  
James White—  
name changed  
to McCauley.

Approved November 19, 1873.

JOINT RESOLUTION TO AUTHORIZE COUNTY COMMISSIONERS  
OF GREENVILLE COUNTY TO RELOCATE STATE ROAD IN SAID  
COUNTY.

No. 3.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and are hereby, authorized to relocate the State road through lands belonging to the estate of Wm. K. Hightower, deceased: *Provided*, That the said County Commissioners shall, before entering upon any lands for the purpose of relocating the said road, conform in every particular to the requirements of Chapter LXIII of the Revised Statutes of the State of South Carolina, relating to the manner of acquiring rights of way.

County Com-  
missioners to  
relocate State  
road.

Shall conform  
to require-  
ments of Chap-  
ter LXIII of  
Revised Stat-  
utes.

Approved November 19, 1873.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE  
COMPTROLLER GENERAL TO RECONVEY CERTAIN LANDS FOR-  
FEITED TO THE STATE FOR THE NON-PAYMENT OF TAXES.

No. 4.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he hereby is, authorized and directed, upon the payment of two hundred and seventy-nine dollars, (\$279,) with costs, to reconvey to B. R. Burnett all the right, title and interest of the State in and to a certain tract of land, containing three thousand and two hundred acres, situated in Colleton County, and forfeited on the first day of June, A. D. 1872, for the non-payment of taxes.

Comptroller  
General to re-  
convey to B. R.  
Burnett cer-  
tain lands for-  
feited to the  
State.

Approved November 19, 1873.

A. D. 1873. **JOINT RESOLUTION TO ALLOW DAVID M. HEMMINGWAY, OF YORK COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.**  
 No. 5.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David M. Hemmingway, of the County of York, be, and he is hereby, allowed to redeem certain lands formerly owned by him on King's Mountain, in said County, consisting of three hundred acres, more or less, which have

become forfeited to the State by virtue of the non-payment of taxes by the tenants on the same, who agreed so to do, and for want of bidders at the sale of the same, on condition that he shall pay over

to the County Treasurer of the County of York all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said land from the forfeited land record of the County.

Approved November 19, 1873.

No. 6. **JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF THE STATE, RELATING TO THE BOUNDARY LINE OF PICKENS AND OCONEE COUNTIES.**

*Preamble.* Whereas great inconvenience has arisen to the people of the Counties of Pickens and Oconee by reason of the fixing of the boundary between the same along the White Water River; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River." That the proposed amendment be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly voting thereon shall vote in favor of such amendment and two-thirds of

each branch of the next General Assembly shall, after such election and before another, ratify the same by yeas and nays, the said Constitution shall be amended in accordance herewith. The question of adopting this amendment shall be submitted to the electors as

follows: Those in favor of the same shall deposit a ballot with the following words written or printed thereon: "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot with the following words written or printed thereon: "Constitutional Amendment—No."

Approved November 19, 1873.

# ACTS OF THE GENERAL ASSEMBLY

## OF THE

# STATE OF SOUTH CAROLINA

*Passed at the Regular Session which was begun to be held  
at the City of Columbia on the fourth Tuesday  
in November, A. D. 1873.*

FRANKLIN J. MOSES, Jr., Governor. R. HOWELL GLEAVES,  
President of the Senate. SAMUEL J. LEE, Speaker of the  
House of Representatives.

A. D. 1873.

### AN ACT TO ALTER AND AMEND THE CODE OF PROCEDURE, BEING TITLE V, PART III, OF THE GENERAL STATUTES.

No. 412.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, that the Code of Procedure, being Title five, (5,) Part three, of the General Statutes be, and the same is hereby, amended in the several Sections thereof as is hereinafter provided. In Section 11 strike out subdivision one (1,) and insert the following in place thereof: "1. Any intermediate judgment, order or decree, involving the merits in actions commenced in the Courts of Common Pleas and General Sessions, brought there by original process, or removed there from any inferior Courts or jurisdiction, and final judgments in such actions: *Provided*, If no appeal be taken until final judgment is entered, the Court may, upon appeal from such final judgment, revive any intermediate order or decree necessarily affecting the judgment not before appealed from." In subdivision two (2) of the same Section, after the word "trial," in the fourth line, insert the following words: "Or when such order strikes out an answer, or any part thereof, or any pleading in an action."

Code of Procedure amended.

Subdivision one stricken out.  
Substitute therefor, relative to final judgments.

Proviso.

Court may revive intermediate order or decree.

Subdivision two amended, relating to orders affecting substantial right.



A. D. 1873.

Section 41  
amended.

Judge of Probate, how and when he may order sale of real estate in payment of deceased person's debts.

May grant writs of injunction, etc.

Proceedings to be by summons and complaint.

In Section 52, "thirty-fifth" inserted in lieu of "first."  
In Section 57, "office of Probate Court" inserted in lieu of "Clerk's office."

Section 58 stricken out.

Subdivision 4, Section 81, stricken out.

Section 91 amended relative to time of serving complaints.

Proviso.

If plaintiff be apprehensive of losing his property, Trial Justice may make such process returnable at his discretion.

In Section 98 "twenty years" inserted in lieu of "forty years."

In Sections 100 to 105 and 109, "ten years" inserted in lieu of "twenty years."

SEC. 2. Add to Section 41 the following words: "And whenever it shall appear to the satisfaction of any Judge of Probate that the personal estate of any person deceased is insufficient for the payment of his debts, and all persons interested in such estate being first summoned before him, and showing no cause to the contrary, such Judge of Probate shall have power to order the sale of the real estate of such person deceased, or of so much thereof as may be necessary for the payment of the debts of such deceased person, upon such terms and in such manner as he may think best; may grant orders of injunction to stay actions or proceedings against the executors or administrators of such deceased person, and such other orders as may be necessary to secure the marshaling and administering the assets of such deceased person. All proceedings under this Section to be by summons and complaint, wherein the time for answering, manner of service, etc., shall conform as nearly as may be to the form and practice in the Courts of Common Pleas of this State."

SEC. 3. In Section fifty-two strike out the words "first Section," in line one, and insert in place thereof the words "thirty-fifth Section;" and in Section fifty-seven strike out the words "Clerk's office," in the fifth line, and insert in place thereof the words "office of the Probate Court."

SEC. 4. Strike out Section fifty-eight (58).

SEC. 5. Strike out subdivision four (4) of Section eighty-one (81).

SEC. 6. In Section ninety-one add the following words as subdivision sixteen: "Where more than twenty-five dollars is demanded in a complaint the same shall be served on the defendant twenty days; and where less than that sum is demanded, five days before the day therein fixed for trial: *Provided*, That if the plaintiff shall make out that he is apprehensive of losing his debt by such delay, and the Trial Justice considers that there is good reason therefor, (the ground of such apprehension being set forth in an affidavit and served with a copy of the complaint,) he may make such process returnable in such time as the justice of the case may require."

SEC. 7. In Section ninety-eight strike out the words "forty years," where they occur in the fourth and eighth lines, and insert in the place thereof the words "twenty years;" and in Sections one hundred, (100,) one hundred and one, (101,) one hundred and two, (102,) one hundred and three, (103,) one hundred and four, (104,) one hundred and five, (105,) and one hundred and nine, (109,) strike out the words "twenty years," wherever they occur, and insert the words "ten years" in the place thereof. In Section one

hundred and eleven (111) strike out the words "twenty years," on the twelfth line, and insert the words "ten years" in place thereof, and on the same line strike out the word "ten" and insert "five" in the place thereof.

A. D. 1873.

In Section 111 "ten years" inserted in lieu of "twenty years." Also, "five" in lieu of "ten."

Section 113, sub-division two, amended. Period of limitation for sealed notes and personal bonds for payment of money only, six years.

Section 157, sub-division four, amended relative to service of summons.

Section 158 amended, relative to service of publication in case of minors.

SEC. 8. In Section one hundred and thirteen add to subdivision two (2) the following words: "Other than sealed notes and personal bonds, for the payment of money only, whereof the period of limitation shall be the same as prescribed in the following Section."

SEC. 9. In Section one hundred and fifty-seven add to subdivision four (4) the following words: "If said defendant is a resident of the State, but is temporarily absent therefrom, to any person over twenty-one years of age residing at the residence or employed at the place of business of said absent person."

SEC. 10. In Section one hundred and fifty-eight (158,) after the word "postoffice," on line thirty-two, add the following words: "In cases of minors who cannot be found within the State, the like order for publication shall be made, and the summons published in a newspaper to be designated in the order. In addition to the publication so to be made, the summons and complaint shall be personally served by delivery of a copy thereof to such minor, and, if under the age of fourteen years, also to his or her father, mother or guardian, or, if there be none such, at the place of his or her residence, to any person having the care and control of such minor, or with whom he or she shall reside, or in whose service he or she shall be employed, unless it is made to appear to the Court or Judge that the place of residence is not known to the party making the application, and cannot, with reasonable diligence, be ascertained by him. Proof of such personal service shall be made by affidavit of the party delivering the copy summons and complaint properly authenticated. In case of persons imprisoned in the Penitentiary, or in the jail of any County in this State, and in case of lunatics confined in the Asylum, or other place of confinement, personal service of the summons and complaint or other process affecting the rights of such persons shall be made by the Sheriff of the County in which such persons may be imprisoned or confined, with the like proof of service as required in case of minors, and thereupon the Judge of the Court, or the Trial Justice before whom the action is to be tried, shall appoint some attorney, or other competent person, to act as guardian *ad litem* for the person so imprisoned or confined, who shall receive out of the property of such persons a reasonable compensation for services rendered in their behalf, and the case shall proceed as in other cases of persons not under any disability: *Provided*, That in case of persons imprisoned or confined, as herein stated, beyond the limits of this

Proof of service, how made

Service of summons in cases of persons confined in Penitentiary, or in jail, or in Asylum.

Court to appoint guardian *ad litem* for such persons.

Duties and compensation.

Proviso.

A. D. 1873.

"One newspaper" inserted in lieu of "two newspapers."

Section 232 amended.  
Upon failure of plaintiff to execute undertaking, property to be retained.

State, service by publication shall be deemed sufficient." That the same Section be amended by striking out the words "two newspapers," in line twenty-two, and inserting the words "one newspaper" in place thereof.

SEC. 11. That Section two hundred and thirty-two be amended by adding thereto the following words: "In case the plaintiff does not execute the required undertaking, the party having possession of the property shall retain the same until the determination of the suit."

Section 274 amended.

Issues of law and fact to be tried together.

SEC. 12. Strike out the last sixteen words of Section two hundred and seventy-four, and insert in place thereof the following words: "In such cases the cause shall be placed on the calendar of issues of fact, and the issues shall be tried together, unless the Court otherwise direct."

Section 278 amended.

Summons and complaint to be filed in Clerk's office.

Clerk to place cause upon appropriate docket.

SEC. 13. That Section two hundred and seventy-eight (278) be amended by striking out the first nine lines thereof, beginning with the word "at" and ending with the word "notice," and inserting in place thereof the following words: "At any time after issue, and at least fourteen days before Court, the plaintiff shall file in the Clerk's office the summons and complaint in the cause, endorsing thereon the nature of the issue and the number of the docket upon which the same shall be placed; and if the plaintiff fail so to do, the defendant, seven days before the Court, may file copies of said papers with a like endorsement, and the Clerk shall thereupon place said cause upon its appropriate docket, and it shall stand for trial without any further notice of trial or notice of issue."

Section 313 amended.

Final judgments a lien on real estate for ten years.

Manner of obtaining lien upon judgments obtained since March 1, 1870.

SEC. 14. Strike out Section three hundred and thirteen (313) and insert: "Final judgments hereafter entered in any Court of record in this State shall constitute a lien upon the real estate of the judgment debtor in the County where the same are entered for a period of ten years from the date of entry of such judgments; and in cases where judgments have been obtained since the first day of March, A. D. 1870, a like lien may be obtained by the service of a summons upon the judgment debtor, or, if he be dead, upon his heirs, executor or administrator, to show cause, if any he or they may have, why said judgment should not be and become a lien in accordance with the provisions of this Act; and if no sufficient cause be shown to the contrary, said judgment shall be and become a lien on all the real property of the judgment debtor, in the County where entered, for ten years from the date of the filing of such summons, with proof of service thereof, in the office of the Clerk of the Court of Common Pleas of the County where such judgments have been entered, but no judgment shall constitute a lien on any property of the judgment debtor outside of the County



where the same is entered, unless a transcript thereof is lodged in the office of the Clerk of the Court of Common Pleas of the County where the property of the judgment debtor may be situate; and from the date of the filing of such transcript it shall have the same force and effect as if the judgment had been originally entered in the County in which said transcript is filed: *Provided, however,* Where any judgment has been obtained and execution issued since the first day of March, A. D. 1870, and the said judgment or execution has now a lien by reason of a levy in accordance with the provisions of the Code of Procedure, then the lien of such judgment or execution shall date from the day upon which it became a lien under said Code of Procedure: *Provided, further,* That the plaintiff in such judgment may, at any time in three years after its active energy has expired, revive the judgment, with like liens as in the original, for a like period, by service of a summons on the debtor, as provided by law, requiring him to show cause, if any he can, at the next term of the Court for his County, why such judgment should not be revived; and if no good cause be shown to the contrary, then it shall be decreed that such judgment is revived according to the force, form and effect of the former recovery: *Provided, further,* That this Section shall not be so construed as to make final judgments in any case a lien on the real property of the judgment debtor exempt from attachment, levy and sale under the Constitution."

SEC. 15. Strike out Sections three hundred and fourteen, (314,) three hundred and fifteen, (315,) and three hundred and sixteen, (316,) and insert: "Execution may issue upon any judgment or decree within three years from the entry thereof without any revival of the same; when levied on personal property, they shall be a lien on such property for the period of four months from the date of such levy; and such levy may be renewed from time to time with like effect, shall be made returnable in the words according to law, and shall have active energy from the time they shall first be lodged until the regular term of the Court from which they were sued which shall follow next after the full completion of five years from its lodgment, and may be renewed at any time during the continuance of its active energy without costs; but after the expiration of its active energy as aforesaid, the same may be renewed by the service of a summons on the judgment debtor, his heirs, executors or administrators, to show cause, if any they may have, why the same shall not be renewed, and if no sufficient cause be shown, the same may be renewed, and so from period to period, as often as the same may be found necessary, and whenever renewed shall be subject to the rules herein provided."

A. D. 1872.

Judgment not a lien upon property outside of County where entered, unless transcript thereof be filed in Clerk's office.  
Proviso.

Lien of judgment, when to date, if issued since March 1, 1870.

Proviso.

How and when judgment may be revived after expiration of active energy.

These provisions not to affect property exempt from attachment, levy and sale under the Constitution.

Sections 314, 315, stricken out.

Execution may issue upon judgment or decree within three years.

Lien on personal property for four months.  
How to be renewed.

Duration of active energy.

How to be renewed after expiration of active energy.



A. D. 1873.

Sheriff and  
Coroner *et al.*,  
when and to  
whom to make  
return of act-  
ings and doings  
upon final pro-  
cess.

Legal effect  
of such return.

Penalty for  
failure or neg-  
lect to make  
returns.

Section 333  
amended.

Amount of  
costs allowed.

Proviso.

In Section  
357, "three  
months" in-  
serted in lieu of  
"two years."

SEC. 16. The Sheriff, Coroner, or other officer with whom final process as aforesaid shall be lodged, shall, at each regular term of the Court from which the said execution or process was sued out, during the continuance of its active energy, until full execution thereof be returned, make a return to the office of the Clerk of the Court of Common Pleas of his actings and doings thereunder. If he shall have fully executed, he shall return the process with the manner of its execution; if he shall have partially executed, he shall return, on oath, to the Clerk, a statement in writing, under his hand, of such partial execution, with the reason of his failure as to the remainder; if he shall have wholly failed to make execution, he shall return, on oath, a statement in writing, under his hand, of his failure, with the reasons; and in any event, on the first day of the term at which the active energy of the process shall cease as herein provided he shall return the process, if the same has not been before returned as fully executed, and the return of the officer made as aforesaid shall, for all purposes, have the same legal effect as if the said process had been made returnable to the term succeeding its first lodgment and renewed after each subsequent regular term. For failure or neglect to make any of the returns above mentioned, or for any false returns, the Sheriff or other officer as aforesaid shall be subject to rule, attachment, action, penalty and all other consequences provided by law for neglect of duty by executive or judicial officers."

SEC. 17. Strike out Section three hundred and thirty-three and insert in place thereof the following: "When allowed, except in Courts of Trial Justices, costs shall be as follows: First, to the plaintiff, for all proceedings where judgment is obtained by default, fifteen dollars; for trial of issue of fact, twenty dollars; for trial of issue of law, fifteen dollars. Second, to the defendant, where judgment or verdict is found for the defendant, the same costs as are allowed plaintiff in like cases. Third, to either party, in all contested cases, fifteen dollars; for a commission to take testimony, ten dollars; for the examination of a party or witness before trial, five dollars; for the appointment of a guardian of an infant, ten dollars; for making and serving a case or cases containing exceptions, ten dollars; for procuring an order of injunction, five dollars; to either party, on appeal to the Supreme Court, twenty dollars; for argument, thirty dollars: *Provided*, That nothing herein contained shall apply to suits commenced and existing at the time of the passage of this Act, wherein the costs shall be the same as allowed previous to the passage hereof."

SEC. 18. In Section three hundred and fifty-seven strike out the words "two years," in the fifth line, and insert in place thereof the

words "three months;" and add to said Section the following words: "No rule or order of any Court or Judge shall require the printing of any brief, report or other paper connected with appeals by any party to an action or proceeding who makes an affidavit, to be filed with the Clerk of the Supreme Court, that he or she is unable to pay for such printing."

A. D. 1873.

How and when printing briefs, papers, etc., may be dispensed with

SEC. 19. That Section three hundred and fifty-nine (359) be stricken out, and that the first eight lines of Section three hundred and sixty, (360,) beginning with the word "if" and ending with the word "appeal," be stricken out and the following substituted in place thereof: "A notice of appeal from a judgment directing the payment of money shall not stay the execution of the judgment unless the presiding Judge before whom the judgment was obtained shall grant a stay of execution; but, after notice of appeal, the plaintiff shall not enforce a sale of property without giving an undertaking or bond to the defendant, with two good sureties, in double the appraised value of the property, or double the amount of the judgment, conditioned to pay all damages which the defendant may sustain by reason of such sale, in case the judgment is reversed. Nor shall the plaintiff in such case be allowed to proceed with a sale of defendant's property if the defendant do enter into an undertaking, with good sureties, in double the appraised value of the said property, or the amount of the judgment, to pay the judgment, with legal interest, and all costs and damages which the plaintiff may sustain by reason of the appeal, or produce the property levied on, and submit to the sale in case the judgment be confirmed." In Section three hundred and sixty-four strike out the following words: "whenever an appeal is perfected, as provided by," and insert in place thereof "whenever the defendant executes the bond hereinbefore prescribed, or the appeal is perfected as provided by." In Section three hundred and sixty-five strike out the words "three hundred and fifty-nine," in the first and second lines. In Section three hundred and sixty-six, after the word "Judge," in the fifth line, insert the words "or Clerk." In Section three hundred and sixty-seven strike out the words "the perfecting of an appeal by giving the undertaking mentioned in Section three hundred and fifty-nine," and insert in place thereof the words "the notice of appeal."

Section 359 stricken out.

Section 360 amended.

When notice of appeal may stay execution of judgment.

Plaintiff not to enforce sale of property after notice of appeal without giving security

Nor shall sale be allowed if defendant give security to pay judgment, interest, costs and damages if judgment be confirmed.

Section 364 amended relative to stay of proceedings upon security being given.

In Section 365 "359" stricken out.

Section 366 amended by insertion of "or Clerk."

Section 367 amended.

SEC. 20. That Section three hundred and seventy-one (371) be amended by striking out all of said Section after the words "Clerk of the appellate Court," in the tenth line thereof, and substituting a period for the semicolon. And that Sections three hundred and seventy-two, (372,) three hundred and seventy-three, (373,) three hundred and seventy-four, (374) and three hundred and seventy-

Section 371 amended.

Sections 372 to 375 stricken out.

A. D. 1873.

Section 377  
amended, rela-  
tive to pay-  
ment of fees to  
Trial Justice.

five (375) be stricken out. That Section three hundred and seventy-seven (377) be amended by striking out the words "but no Justice of the Peace shall be bound to make a return, unless the fees prescribed by the last Section of this Chapter be paid on the service of the notice of appeal," on the fifth, sixth and seventh

Section 383  
amended, rela-  
tive to liability  
of party exe-  
cuting under-  
taking.

lines. That Section three hundred and eighty-three (383) be amended by striking out the words "and if the party making such offer shall have given an undertaking upon the appeal, the parties executing such undertaking shall be liable thereon for the payment of the judgment entered by virtue of said offer," beginning on line thirteen and ending on line sixteen of subdivision five of said Sec-

Section 388  
amended, rela-  
tive to under-  
taking to stay  
execution.

tion. That Section three hundred and eighty-eight (388) be amended by striking out the words "and no undertaking given to stay execution shall be enforced for more than the amounts of the corrected judgment," on lines sixteen, seventeen and eighteen;

Provision  
relative to tax-  
ing fees paid to  
Trial Justice,  
etc., stricken  
out.

also by striking out the words "he shall be allowed to tax, as part thereof, the costs and fees paid to the Trial Justice on making the appeal, as disbursements, in addition to the costs in the appellate Court," in the thirtieth, thirty-first and thirty-second lines. Strike

"Trial Jus-  
tice" inserted  
in lieu of  
"Court below."

out the words "Court below," in the fifty-sixth line, and insert the words "Trial Justice."

Judgments in  
Court of Com-  
mon Pleas ob-  
tainable during  
term time only.

All cases in  
which there is  
no defense to  
be placed on  
special docket.

When such  
cases to be  
called.

Order to be  
endorsed on  
complaint and  
signed by pre-  
siding Judge.

SEC. 21. That after the passage of this Act no judgment shall be obtained in the Court of Common Pleas, except during term time and in open Court, and it shall be the duty of the Clerk to place all cases filed in his office in which there is no defense upon a docket to be prepared by him for the purpose, to be known as Docket No. Six, (6,) and they shall be called on the first day of the term, and the order for judgment shall be endorsed on the complaint, and signed by the presiding Judge, and no execution shall be signed on judgments obtained by default in any other manner than is herein provided.

Approved November 25, 1873.

## NO. 413. AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A HOUSE OF REFUGE AND INDUSTRIAL SCHOOL IN THE CITIES OF CHARLESTON AND COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Repre-

City Councils  
of Charleston  
and Columbia  
to establish a  
House of Ref-  
uge and Indus-  
trial School.

sentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Councils of Charleston and Columbia, by their ordinances duly ratified, shall have power and authority to establish a House of



Refuge and Industrial School for the care, correction, education and instruction of juvenile offenders of the law and peace of the city, and to make rules and regulations, and appoint a Board of Commissioners and other officers for the government of the same: *Provided*, That at no future time the city corporations of Charleston or Columbia shall apply to the General Assembly of the State for any pay in the establishment and management of said schools.

A. D. 1873.

Commissioners to be appointed.

Proviso.

SEC. 2. That the Mayors or acting Mayors of the city of Charleston or Columbia shall have power and authority to commit juvenile offenders to the House of Refuge and Industrial School for a term of years, to be held to useful industry, and to be instructed in various branches of knowledge for which they may be qualified: *Provided*, That before the commitment of any such juvenile offenders or minors brought before the Mayor of the city of Charleston or the city of Columbia by a Constable, public officer or resident of the said cities, the Mayor shall issue a summons to the father of the said offenders if he is living and resident within the city, and if not, then to the mother, if she is living and so resident, and if there is no such father and mother, to the lawful guardian of said offenders, if any there be so resident, or, if not, to the person with whom, according to his or her statement and such other testimony as shall be received the said offenders reside, and if there be no person with whom the said offenders statedly reside, the Mayor may appoint some one to act in the said offender's behalf, requiring him or her to appear at a time and place stated in the summons, to show cause, if any there be, why such offenders shall not be committed to the House of Refuge and Industrial School. And, at the time mentioned in the summons, the Mayor shall proceed to examine the said offenders and any party appearing in answer to the summons, and take such testimony in relation to the case as may be produced. If the allegations are proved, and it appears that the offender is a suitable subject of the House of Refuge and Industrial School, and that his or her moral welfare and the good of society require that the said offender should be sent thereto for instruction, employment or reformation, he shall commit the said offender to said House of Refuge and Industrial School: *Provided, further*, That an appeal shall be allowed from any decision rendered against any offender to the Circuit Court of the Counties of Charleston or Richland.

Mayors of Charleston and Columbia may commit offenders.

Proviso.

Mayors may appoint some person to act in offender's behalf.

Proviso.

SEC. 3. That the Mayors or acting Mayors of Charleston or Columbia, or the Board of Commissioners which the City Council of their respective cities shall create and appoint to supervise the said institution, shall have power and authority to bind either of the inmates of the said House of Refuge and Industrial School that shall have arrived at the age of fourteen years as apprentices to

Mayors or Commissioners may bind offenders as apprentices.



A. D. 1873.

Proviso.

any trade or employment for which they may be fitted, the males till eighteen and the females till fifteen years of age: *Provided*, That in binding out the inmates, as herein provided, there shall be a scrupulous regard to the moral character of those to whom they are bound, that they may have secured to them the benefit of a good example and wholesome instruction, and the sure means of improvement in virtue and knowledge, that they may become intelligent, moral, useful and happy citizens.

Enticing or  
harboring ap-  
prentices a  
misdemeanor.

SEC. 4. That it shall be a misdemeanor to entice away or harbor any of the minors committed to the House of Refuge and Industrial School, or to entice away or harbor such of them as shall have been apprenticed by the authority aforesaid.

Conflicting  
Acts repealed.

SEC. 5. That all Acts or parts of Acts in conflict with the foregoing are hereby repealed.

Approved November 25, 1873.

NO. 414. AN ACT TO REPEAL SO MUCH OF AN ACT ENTITLED "AN ACT TO VEST IN ISAAC G. LONG THE CHARTER OF A WATER COURSE THROUGH KINGSTON LAKE AND MAPLE SWAMP, IN HORRY COUNTY," APPROVED MARCH 26, 1869, AS PERTAINS OR RELATES TO SAID KINGSTON LAKE.

Portion of  
Act relative to  
certain water  
course re-  
pealed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to vest in Isaac G. Long the charter of a water course through Kingston Lake and Maple Swamp, in Horry County," approved March 26, 1869, as pertains to the said Kingston Lake be, and the same is hereby, repealed.

Approved November 26, 1873.

NO. 415. AN ACT TO RENEW THE CHARTER OF THE SAND BAR FERRY ACROSS THE SAVANNAH RIVER.

Sand Bar  
Ferry rechar-  
tered.  
Rates of fer-  
riage.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sand Bar Ferry across the Savannah River be, and the same is hereby, rechartered, with the following rates of ferriage: For every four-wheel carriage drawn by four or more horses, mules, oxen or other animals, (except stage coaches,) seventy-five cents; for the

same drawn by three horses, mules, oxen or other animals, sixty cents; for the same drawn by two horses, mules, oxen or other animals, forty cents; for the same drawn by one horse, mule, oxen or other animal, thirty cents; for every other four-wheel vehicle drawn by six or more horses, mules, oxen or other animals, sixty cents; for the same drawn by five horses, mules, oxen or other animals, fifty cents; for the same drawn by four horses, mules, oxen or other animals, forty cents; for the same drawn by three horses, mules, oxen or other animals, thirty cents; for every two-wheel carriage drawn by two horses, mules, oxen or other animals, thirty cents; for the same drawn by one horse, mule, oxen or other animal, twenty cents; for every other vehicle, twenty cents; for every person on horseback, or leading or driving a horse or mule, ten cents; for every led horse or mule, accompanied by a person on horseback, five cents; for every horse or mule in a drove, three cents; for every head of cattle, three cents; for every sheep, hog or goat, two cents; for every animal for show, in addition to the carriage in which he may be conveyed, forty cents; for every foot passenger crossing, five cents. That all the rights, privileges and franchises incident to the said Sand Bar Ferry be, and they are hereby, vested in Jonathan M. Miller, Isaac Holland, David Cherry and Daniel Runse, and their heirs and assigns, and shall continue in force until repealed: *Provided, however,* That all ministers of the gospel, practicing physicians, voters going to and from the polls, funeral processions, persons attending church on the Sabbath, children crossing and recrossing for the purpose of attending school, and members of military companies, when crossing and recrossing for the purpose of attending to military duties, be, and the same are hereby, allowed to pass free of toll over the said ferry.

A. D. 1873.

Privileges  
and franchises  
vested in cer-  
tain parties.

Proviso.

SEC. 2. That if any person shall meet with any unnecessary delay at the said Sand Bar Ferry, in crossing, every such person or persons may recover from the owner of the same the sum of ten dollars for every hour he shall have been so unnecessarily detained, to be recovered by civil action, on application from the party or parties aggrieved to any Trial Justice.

Damages may  
be recovered  
for unneces-  
sary delay.

SEC. 3. This Act shall continue in force for the term of five years, unless sooner repealed.

—  
OFFICE SECRETARY OF STATE,  
COLUMBIA, S. C., December 8, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned

A. D. 1873. by him to that branch of the General Assembly in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

(Signed,)

H. E. HAYNE,  
Secretary of State.

NO. 416. AN ACT TO AMEND SECTION 25 OF CHAPTER CXXII OF TITLE V OF THE REVISED STATUTES.

Section 25, Chapter CXXII, Title V, Revised Statutes, amended

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 25 of Chapter CXXII of Title V of the Revised Statutes be so amended as to read as follows:

Time for holding Court in Abbeville.

"1st. The Court of Common Pleas and General Sessions at Abbeville, for the County of Abbeville, on the second Monday in January, the third Monday in May and the first Monday in October.

In Anderson.

"2d. The Court of Common Pleas and General Sessions at Anderson, for the County of Anderson, on the first Monday in February, the fourth Monday in May and the third Monday in October.

In Oconee.

"3d. The Court of Common Pleas and General Sessions at Wallhalla, for the County of Oconee, on the third Monday in February, the first Monday in June and the first Monday in November.

In Pickens.

"4th. The Court of Common Pleas and General Sessions at Pickens, for the County of Pickens, on the first Monday in March, the second Monday in June and the second Monday in November.

In Greenville.

"5th. The Court of Common Pleas and General Sessions at Greenville, for the County of Greenville, on the second Monday in March, the third Monday in June and the third Monday in November."

All processes made returnable to Courts held in pursuance with this Act.

SEC. 2. That all writs, summons, recognizances and other processes, of whatever kind, returnable to the Courts of Common Pleas and General Sessions in the Counties above named be, and the same are hereby, made returnable to the Courts held in pursuance to the provisions of this Act in the same manner as if they had been issued or taken in reference thereto.

Inconsistent Acts repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Approved December 17, 1873.

## AN ACT TO INCORPORATE THE CONGAREE FIRE ENGINE COMPANY, OF COLUMBIA, SOUTH CAROLINA.

A. D. 1873.

No. 417.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Congaree Fire Engine Company, and the several persons who are now or may hereafter be officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and title of the "Congaree Fire Engine Company," and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered in, law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided, however*, That the property so to be held shall not exceed the annual value of fifteen thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Corporators.

Corporate  
name.  
Powers and  
privileges.

Proviso.

SEC. 2. This Act shall be deemed a public Act and shall continue in force until amended or repealed.

Approved December 20, 1873.

## AN ACT TO AMEND SECTION 56, CHAPTER XIII, TITLE I, No. 418.

PART I, OF THE REVISED STATUTES, RELATING TO THE BONDS OF COUNTY TREASURERS.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 56, Chapter XIII, Title I, Part I, of the Revised Statutes be amended by striking out the words and figures "twenty thousand (20,000,)" in the fifth and sixth lines of said Section, and inserting in lieu thereof the words and figures "forty thousand (40,000;)" and by striking out the words and figures "ten thousand (10,000,)" in the seventh and eighth lines of said Section, and inserting in lieu thereof the words and figures "twenty thousand (20,000.)"

Section 56,  
Chapter XIII,  
Title I, Part I,  
of the Revised  
Statutes  
amended.  
"Forty thousand"  
inserted in lieu of  
"twenty thousand."  
"Twenty thousand"  
inserted in lieu of  
"ten thousand."

Approved December 20, 1873.



A. D. 1873.

No. 419.

AN ACT TO CHARTER THE TOWN OF ALLENDALE, IN THE  
COUNTY OF BARNWELL AND STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Allendale, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called by the name of Allendale, and its corporate limits shall extend three-quarters of a mile in each direction from the depot in said town.

Corporators.

Corporate  
limits.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in January, one thousand eight hundred and seventy-four, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Electors.

Election.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place in said town, from seven (7) o'clock in the morning until five (5) o'clock in the afternoon; and when the polls shall be closed the Managers of Election shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. At

Managers of  
Election.

the first election for Intendant and Wardens, Messrs. Joseph Erwin, J. Lawrence Williams and Thomas S. Myers are hereby appointed to act as Managers. The Intendant and Wardens so elected shall appoint three Managers to hold the ensuing and any subsequent election. The Managers, in each case, shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Allendale, I will equally and impartially, to the best of my ability, exercise the trust reposed in me; and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their

Oath of office.

election until the second Monday in January ensuing and until their successors shall be elected and qualified.

A. D. 1873.

SEC. 4. That in case a vacancy should occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, or in any case of a tie in said election, an election to fill such vacancy shall be held, by the appointment of the Intendant and Wardens, (or Warden, as the case may be,) ten days' public notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Vacancies.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justices and Justices of the Peace, except the trial of civil cases, and except as it may otherwise be provided in this Act, within the limits of said town; and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Allendale; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables as the Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons so appointed shall, within the corporate limits of said town, have powers, privileges and emoluments and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have full power to establish, or authorize the establishment of, the market house in said town.

Judicial powers.

Marshals and Constables.

And the said Town Council shall have the full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience and for preserving the health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council except by suit in a Court of competent jurisdiction: *And provided, also,* That no fine shall exceed fifty dollars; and, also, that nothing

General powers.

A. D. 1873.

herein contained shall authorize the said Town Council to make any by-laws or ordinances inconsistent with or repugnant to the laws of this State; and all the by-laws, rules and ordinances the said Town Council may make shall, at all times, be subject to revisal or repeal by the General Assembly of this State.

Abatement of nuisances.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town, keep all roads, ways and streets within the corporate limits in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads, and shall have full power to classify and arrange the inhabitants of said town liable to street,

Road and street duty.

road or other public duty therein, and to force the performance of such duty under such penalties as are now or shall hereafter be prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty upon such terms and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of road and public duty; and the inhabitants of the said town are hereby exempt from road and public duty without the corporate limits of said town.

Licenses.

SEC. 7. That the authority to refuse or grant licenses to keep billiard saloons, taverns, or retail intoxicating liquors within the corporate limits be, and the same is hereby, vested in the Town Council of Allendale; and that they be also vested with all the necessary power, by ordinance or ordinances, to suppress or regulate the sale of intoxicating liquors in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or outhouses of the said town, or within three-quarters of a mile each way of the Port Royal Railroad depot in the said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State; and they shall also have power to impose a tax on shows or exhibitions for gain or reward, and also upon all transient traders within the limits, and all moneys so received shall be appropriated to the public use of said corporation.

Power to arrest offenders.

SEC. 8. That the said Town Council of Allendale shall have power to arrest and commit to jail for a space of time not exceeding twenty-four hours and to fine not exceeding twenty dollars any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of citizens thereof; and it shall be the duty of the Marshal of the town to make such arrests, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to



perform such duty, he shall be fined in a sum not less than twenty dollars for each and every offense. A. D. 1873.

SEC. 9. The said Town Council of Allendale shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of fifteen cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of said town. The said Town Council shall have power to enforce the payment of all taxes levied by the said Town Council, to the same extent, and in the same manner, as is now or hereafter shall be provided by law for the collection of the general State taxes. Annual taxation.

SEC. 10. That the said Town Council of Allendale shall have power to regulate sales at auction within the limits of said town and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales of Sheriffs, Clerk of Court, Judge of Probate, Coroner, executor, administrator, assignee in bankruptcy, or by any person out of the order, decree of any Court, Trial Justice or Justice of the Peace. Auction sales.  
Proviso.

SEC. 11. That the Intendant and Wardens of the town of Allendale shall have power and authority to require all persons owning improved lot or lots, or parts thereof, in the said town to keep in repair the sidewalks adjacent to their lot or lots respectively, and for default in this matter shall have power and authority to have said sidewalks repaired at the expense of the parties owning such lot or lots. Sidewalks.

SEC. 12. That the said Town Council of Allendale shall also be empowered to retain, possess and enjoy all such property as they may be possessed or entitled to, or which shall hereafter be given, bequeathed or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock invested shall in no case exceed the sum of twenty thousand dollars. May hold  
and dispose of  
property.

SEC. 13. That this Act shall be deemed a public Act in all Courts of justice and shall continue of force until amended or repealed.

Approved December 20, 1873.

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AN ACT TO REQUIRE THE COUNTY TREASURER OF DARLINGTON TO ATTEND AT SUNDRY PLACES OTHER THAN THE TOWN OF DARLINGTON FOR THE COLLECTION OF TAXES. No. 420.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,



A. D. 1873.

County Treasurer to collect taxes at sundry places.

and by the authority of the same, That the County Treasurer of Darlington, or his deputy, shall attend for the collection of taxes, in each year, three days at each of the following named places, to wit: Florence, Timmons ville, Carterville, Lydia Precinct, Society Hill, Effingham and Leavenworth.

OFFICE SECRETARY OF STATE,  
COLUMBIA, S. C., December 20, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,  
Secretary of State.

No. 421. AN ACT TO AMEND SECTION 2, CHAPTER XXVI, OF THE  
GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO  
CONSTABLES.

Section 2,  
Chapter XXVI  
of the General  
Statutes  
amended.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of Chapter XXVI of the General Statutes be amended, in the twelfth line of said Section, after the words "or a Trial Justice," by inserting the words, "or a Coroner."

OFFICE SECRETARY OF STATE,  
COLUMBIA, S. C., December 20, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,  
Secretary of State.

## AN ACT TO AID AND ENCOURAGE MANUFACTURES.

A. D. 1873.

No. 422.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of inducing the investment and employment of capital in the manufacture of cotton, woolen and paper fabrics, iron, lime, and of agricultural implements, any individual, or association of individuals, who shall hereafter invest capital in the manufacture of cotton, woolen or paper fabrics, iron, lime and of agricultural implements within this State shall be entitled to receive from the Treasury of the State, annually, a sum equal to the aggregate amount of State taxes, less two mills to be used for school purposes, which shall be exclusively so applied, which shall be levied and collected upon the property or capital employed or invested directly and exclusively in such manufactures or enterprises, the said sum of money to be fixed and determined by the Comptroller General of the State, in accordance with the tax returns, and to be paid by the State Treasurer on the warrant of the said Comptroller General.

Capital invested in manufacture of cotton, woolen or paper fabrics, etc., exempt from taxation.

SEC. 2. That it shall be the duty of all County Treasurers, and of the Treasurers of all municipal corporations which are by law authorized to levy and collect taxes, to pay to the individuals, or association of individuals, described in the first Section of this Act a sum of money, annually, equal to the aggregate amount of County or municipal taxes levied or collected during any year upon the property or capital described in the first Section of this Act.

Capital employed in manufacture as aforesaid, exempt from County and municipal taxation.

SEC. 3. That the provisions of the first Section of this Act shall apply exclusively to investments made hereafter, and shall not operate until satisfactory proof or evidence shall have been presented to the Comptroller General of the State that the property or capital for which the benefits of this Act are claimed have been actually employed, paid in or invested in this State: *Provided*, That nothing herein contained shall apply to enterprises enumerated in this Act commenced within the last twelve months and not yet completed: *And provided, further*, That nothing in this Act contained shall be so construed as to exempt from taxation the land upon which said factories may be erected.

Exemptions applicable to future investments only.

Evidence of investment to be furnished Comptroller General.

Enterprises commenced within twelve months and not completed excepted.

Land upon which factories are erected not exempted.

SEC. 4. That the manufacturing enterprises enumerated in the foregoing Sections of this Act which have been completed since the first day of January, 1872, or any improvements made or added to any that were built at the time of above named date, and all vessels of one hundred tons measurement or upwards built and owned within this State shall come under the provisions of this Act and be entitled to all the benefits thereof.

Enterprises completed since January 1, 1872, or improvements added, etc., entitled to benefits of this Act.

A. D. 1873.

Benefits conferred herein to terminate within ten years.

SEC. 5. That the benefits of this Act shall extend to the property and capital designated in the first Section of this Act for a period of ten years after the commencement or extension of such manufacture or improvement, and no longer.

SEC. 6. This Act shall take effect on and after its passage and shall remain in force until repealed.

Approved December 20, 1873.

No. 423. AN ACT TO INCORPORATE THE AGRICULTURAL AND MECHANICAL ASSOCIATION OF ABBEVILLE, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. Cain, Samuel Chiles, Elijah Finley, Lewis Goulsby, Henry Titus, John Barnett, Ed. Henderson, Cit. Roseman, Aleck Berry, Sam. Jones, Wm. Pope, Aaron Mitchell, Alfred Thurman, and their successors in office and associates, be, and they are hereby declared, a body politic and corporate, under the name and style of the Agricultural and Mechanical Association of Abbeville, South Carolina, with a capital stock not to exceed sixty thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the law of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation, or assigns, in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act and shall have force until repealed.

Approved December 20, 1873.

AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873, AND TO ALTER AND AMEND THE LAW IN RELATION TO THE COLLECTION OF TAXES.

A. D. 1873.

No. 424.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of one and a quarter ( $1\frac{1}{4}$ ) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to pay the the salaries of the executive and judicial officers of the State, the clerks and contingent expenses of the executive and judicial departments of the government, for the fiscal year commencing November 1, 1873.

$1\frac{1}{4}$  mills to  
pay salaries  
and contingent  
expenses.

SEC. 2. That a tax of one and one-quarter ( $1\frac{1}{4}$ ) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1873.

$1\frac{1}{4}$  mills to  
support State  
institutions.

SEC. 3. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of public schools for the fiscal year commencing November 1, 1873; *Provided*, That the amount raised by the levy in this Section in excess of three hundred thousand dollars be apportioned among the several Counties, as the free school fund is now apportioned, to be applied to the payment of teachers' claims in said Counties, and *pro rata* upon said claims.

2 mills for  
schools.

Proviso.

SEC. 4. That a tax of one and a half ( $1\frac{1}{2}$ ) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to defray the expenses of the General Assembly for the extra session of 1873 and the regular session commencing November 25, 1873.

$1\frac{1}{2}$  mills for  
legislative ex-  
penses.

SEC. 5. That a tax of one mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for public printing for the fiscal year commencing November 1, 1873.

1 mill for  
printing.

SEC. 6. That a tax of three and one-quarter ( $3\frac{1}{4}$ ) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the deficiency or unpaid appropriations of the fiscal year which commenced November 1, 1872; and a tax of three-quarters of a mill is hereby levied to pay the claim of the South Carolina Banking and Trust Company, now held by Hardy Solomon, Esq., or as much thereof as may be necessary.

$3\frac{1}{4}$  mills for  
deficiencies.

$\frac{3}{4}$  of a mill  
for claim of  
Hardy Solom-  
on.



A. D. 1873.

1 mill for interest on public debt.

SEC. 7. That a tax of one (1) mill on every dollar of the taxable property of this State be, and the same is hereby, levied to pay the half yearly interest upon the public debt of this State, (as adjusted at the present session,) due and payable on the 1st of July, 1874.

3 mills for County purposes.

SEC. 8. That a tax not to exceed three (3) mills upon every dollar of the value of all taxable property in each of the several Counties of this State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1873, the rate to be fixed by the County Commissioners of each County, and by them certified to the County Auditor thereof, except the Counties of Greenville and Pickens, in which the County Commissioners shall levy a tax of five (5) mills, two mills of which shall be devoted exclusively to the payment of the past indebtedness of said County; and Spartanburg County four (4) mills, one (1) mill of which shall be used exclusively for the liquidation of past due indebtedness for the building of bridges: *Provided*, That the restrictions of this Section shall not apply to such Counties as are now authorized by law to levy a tax for special purposes: *Provided, further*, That the County Commissioners of Charleston County are hereby directed to cause to be levied and collected, in the same manner and at the same time as other County taxes are collected, a special tax of two (2) mills on the dollar on all the taxable property of the County, to pay the past indebtedness of the County, the said funds so raised to be kept in the treasury by the Treasurer, subject to the passage of an Act of the General Assembly to provide for the payment of the past indebtedness of the County; and the County Commissioners and the County Treasurer are prohibited from using said funds for any purpose whatsoever until the passage of the Act herein contemplated; and in the County of Oconee the County Commissioners are hereby directed to levy and collect an additional tax of one and one-half mills on all the taxable property of the County to pay the past indebtedness of said County.

Proceeds from levies to be kept from other public funds.

SEC. 9. That the proceeds from the taxes levied in the first seven Sections of this Act shall be kept by the State Treasurer separate and apart from each other and from other public funds, and shall be applied to the purposes for which they are respectively levied and none other.

Portion of Section 72, Chapter XII, Title III, Part I, General Statutes, repealed.

SEC. 10. That so much of Section 72 of Chapter XII of Title III of Part I of the General Statutes as directs the State Auditor, on or before the 15th of November, annually, to give notice to each County Auditor of the rate per centum authorized by law to be levied for various State purposes be, and the same is hereby,

repealed; and the County Auditors and County Treasurers of this State are hereby required, without further notice, to proceed, on and after January 1, 1874, under the supervision of the Comptroller General, to the collection of the taxes herein levied, in the manner prescribed by law; and they are hereby forbidden to collect, or cause to be collected, any other tax whatever, unless hereafter expressly authorized so to do: *Provided*, That nothing herein contained shall prevent the collection of district school taxes, poll tax, railroad tax and taxes levied for the relief of widows and orphans of persons killed because of their political opinions, or special tax as authorized by law for County purposes. Any State or County officer who shall offend against any of the provisions of this Act shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than one thousand or more than fifty thousand dollars, and by imprisonment in the State Penitentiary for a period of not less than one year or more than five years.

A. D. 1873.

Proviso.

SEC. 11. That all taxes assessed and payable under this Act shall be paid in the following kind of funds: United States currency, gold and silver coin, national bank notes and certificates of indebtedness authorized by this General Assembly and issued to the Republican Printing Company, pursuant to the Act approved November 19, 1873; and on receiving any of said certificates for taxes the County Treasurers shall cancel the same by writing the word "canceled" on the back of each certificate so received, and attaching his official signature thereto; and the State Treasurer shall report to the General Assembly, at the next regular session, the total amount of such certificates returned to him by the County Treasurers respectively.

Taxes to be paid in certain kinds of funds.

Approved December 22, 1873.

AN ACT TO REPEAL AN ACT TO PROVIDE FOR THE ISSUE OF  
BILLS RECEIVABLE IN PAYMENT OF INDEBTEDNESS TO THE  
STATE TO THE AMOUNT OF FIVE HUNDRED THOUSAND  
DOLLARS. No. 425.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the issue of bills receivable in payment of indebtedness to the State to the amount of five hundred thousand dollars," approved December 21st, A. D. 1865, be, and the same is hereby, repealed.

Act to provide for issue of bills receivable repealed.

Approved December 22, 1873.

A. D. 1873.  
 No. 426.

AN ACT TO REPEAL SO MUCH OF SECTION 72, CHAPTER XII, TITLE III, OF THE GENERAL STATUTES AS AUTHORIZES THE STATE AUDITOR TO GIVE NOTICE ANNUALLY TO EACH COUNTY AUDITOR OF THE RATE PER CENTUM TO BE LEVIED FOR VARIOUS STATE PURPOSES.

Portion of  
 Section 72,  
 Chapter XII,  
 Title III, of  
 General Stat-  
 utes repealed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 72, Chapter XII, Title III, of the General Statutes as authorizes the State Auditor to give notice annually to each County Auditor of the rate per centum to be levied for various State purposes be, and the same is hereby, repealed.

Approved December 22, 1873.

No. 427. AN ACT TO REDUCE THE VOLUME OF THE PUBLIC DEBT AND PROVIDE FOR THE PAYMENT OF THE SAME.

State Treas-  
 urer to receive  
 from holders  
 certain bonds  
 and certificates  
 of stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to receive from the holders willing to surrender the same all the certificates of stock issued under Act of 1794, and redeemable at pleasure, amounting to thirty-eight thousand eight hundred and thirty-six and sixty one-hundredth dollars (\$38,836.60); the certificates of stock issued under Act of June 1st, 1838, redeemable in 1870, amounting to three hundred and three thousand three hundred and forty-three eighty-nine one-hundredth dollars (\$303,343.89); the certificates of stock issued under Act of December 20, 1856, redeemable in 1877, amounting to one hundred and eighty-nine thousand three hundred and eighty-five and eighty one-hundredth dollars (\$189,385.80); the certificates of stock issued under Act of December 21, 1857, and redeemable in 1888, amounting to one hundred and twenty-one thousand and fifty-one and thirty-seven one-hundredth dollars (\$121,051.37); the certificates of stock issued under Act of December 21, 1858, one hundred and fifty-six thousand seven hundred and twenty dollars (\$156,720) of which redeemable in 1883, and one hundred and forty-five thousand nine hundred and ninety dollars (\$145,990) in 1885; the certificates of stock issued under Act of December 22, 1859, seventy-five thousand seven hundred and forty-six and twenty-four one-hundredth dollars (\$75-



746,24) of which redeemable in 1887, and one hundred and thirty-nine thousand four hundred and thirty dollars (\$139,430) in 1889; the certificates of stock issued under Act of January 22, 1861, fifty-seven thousand eight hundred and ninety dollars (\$57,890) of which redeemable in 1882, and sixty-five thousand four hundred and fifteen dollars (\$65,415) in 1866; the certificates of stock issued under Act of February, 1863, redeemable in 1890, amounting to one thousand five hundred and sixty dollars (\$1,560); the certificates of stock issued under Acts of September and December, 1866, redeemable in 1887, amounting to seventy-nine thousand four hundred and thirteen and ninety-four one-hundredth dollars (\$79,413.94); the certificates of stock issued under Act of March 23, 1869, redeemable in 1888, amounting to sixty-four thousand dollars (\$64,000); the bonds of the State issued under Act of June 1, 1838, redeemable in 1868, amounting to four hundred and eighty-one thousand nine hundred and forty-four and fifty-one one hundredth dollars (\$481,944.51); the bonds of the State issued under Act of December, 1853, redeemable in 1871, amounting to thirty-eight thousand dollars (\$38,000); the bonds of the State issued under Act of December, 1855, redeemable in 1881, amounting to two hundred and forty-nine thousand dollars (\$249,000); the bonds of the State issued under Act of December, 1854, two hundred thousand dollars (\$200,000) of which redeemable in 1875, one hundred and ninety-eight thousand dollars (\$198,000) in 1876, two hundred thousand dollars (\$200,000) in 1877, two hundred thousand dollars (\$200,000) in 1878, and one hundred and sixty-eight thousand dollars (\$168,000) in 1879; the bonds of the State issued under Act of December, 1866, redeemable in 1885, amounting to eleven thousand six hundred dollars (\$11,600); the bonds issued under the Acts of September and December, 1866, four hundred and sixty-five thousand four hundred dollars (\$465,400) of which redeemable in 1887, and four hundred and sixty-four thousand eight hundred dollars (\$464,800) in 1897; the bonds of the State issued under the Act of August 26, 1868, redeemable in 1888, amounting to eleven hundred and ninety-seven thousand dollars (\$1,197,000); the bonds issued under the Act of August 26, 1868, redeemable in 1888, amounting to four hundred and eighty-four thousand dollars (\$484,000); the bonds issued under the Act of September 15, 1868, redeemable in 1888, amounting to eleven hundred and eighty-nine thousand six hundred dollars (\$1,189,600); the bonds issued under Act of February 17, 1869, redeemable in 1888, amounting to eight hundred and fifty-six thousand dollars (\$856,000); the bonds issued under Act of March 27, 1869, redeemable in 1888, amounting to one hundred and twenty-four thousand dollars (\$124,000); the bonds issued under

A. D. 1873.



A. D. 1873.

State Treasurer shall exchange bonds and stock surrendered for other bonds at fifty per cent. of face value.

Certain conversion bonds declared null and void.

State Treasurer to issue bonds for coupons and interest orders.

Bonds to bear upon their face certain words.

Proviso.

Bonds and stocks to be signed by the Governor and Comptroller General.

Act of March 1, 1870, redeemable in 1888, amounting to three hundred and forty-three thousand dollars (\$343,000); the bonds issued under Act of March 23, 1869, redeemable in 1888, for the purpose of exchange of any of the certificates of stock or bonds above enumerated, said fact being ascertainable from the Treasurer's registry of bonds and stocks converted, amounting to one million five hundred and seventy-seven thousand five hundred dollars (\$1,577,500); and shall thereupon, in exchange for and in lieu of said bonds and stocks so surrendered, issue to said holders other coupon bonds or certificates of stock, as they may desire, equal in amount to fifty per centum of the face value of the bonds or certificates of stock so surrendered; and that the bonds known as the conversion bonds, amounting to \$5,965,000, and which were put upon the market without any authority of law, be, and the same are hereby declared to be, absolutely null and void.

SEC. 2. That the State Treasurer is hereby authorized and required to receive from the holders willing to surrender the same all the coupons upon the bonds before mentioned which have accrued, or will accrue on the first of January, 1874, and the interest orders upon interest due upon certificates of stock as aforesaid to the date aforesaid; and shall thereupon, in exchange for and in lieu of such coupons or interest orders so surrendered, issue to said holders coupon bonds or certificates of stock, as they may desire, equal in amount to fifty per centum of the face value of the coupons or interest orders so surrendered.

SEC. 3. That the bonds and certificates of stock herein authorized to be issued shall bear upon their face the words "Consolidation Bonds," "Certificates of Stocks," and shall also bear upon their face the declaration that the payment of the interest and the redemption of the principal is secured by the levy of an annual tax of two (2) mills upon the dollar upon the entire taxable property of the State, which declaration shall be considered a contract entered into between the State and every holder of said bonds and stocks: *Provided*, That no tax shall ever be levied to pay the interest or principal on any of the class of bonds or certificates of stock mentioned in the first Section as long as such bonds or certificates of stock remain outstanding in their present form.

SEC. 4. That said bonds and certificates of stock shall be signed by the Governor, countersigned by the Comptroller General, and have the great seal of the State affixed thereto; the coupons shall be signed by the Treasurer, the name of the Treasurer being lithographed or engraved thereon. That there shall be preserved in the offices of the State Treasury and Secretary of State a description of the dates, amounts and time of issuing said bonds and certificates of

stock; and the bonds and certificates of stock so taken up shall be canceled by the Treasurer, and a list of their dates, numbers and amounts, and by whom signed, recorded in the office of the Secretary of State.

A. D. 1873.

Record of bonds to be kept.

SEC. 5. That the said bonds and stocks shall bear interest at the rate of six per cent. per annum, payable semi-annually at the State Treasury, and at such place in the city of New York as shall be designated by the Financial Board of the State, on the first day of January and July in each year, and shall be of such denominations as may be most convenient, but of uniform design and appearance, and shall be payable within twenty years from the passage of this Act, and shall be dated January 1st, 1874, and the first coupon shall fall due July 1, 1874; and all coupons upon the bonds and the interest orders of said certificates of stock herein authorized to be issued shall be received in payment of all taxes due the State during the year in which they mature, except for tax levied for the public schools; and the said coupon bonds and stocks shall at all times be exchangeable, the one for the other, upon application to the State Treasurer.

Rate of interest.

When redeemable.

Coupons receivable for taxes.

SEC. 6. That the faith, credit and funds of the State are hereby solemnly pledged for the punctual payment of the interest and final redemption of the principal of said bonds and stocks and for providing a surplus fund for that purpose.

State pledged to pay interest and principal punctually.

SEC. 7. That the fund so created shall be kept separate and apart from all other funds, and shall be applied, first, to the payment of the annually accruing interest upon the bonds and certificates of stock herein authorized; second, the surplus remaining in the Treasury, after the payment of the said interest, shall be applied (on or after the first day of July of each year) to the extinguishment of the public debt, and to no other purpose.

Fund created by Act to be applied to payment of interest and principal.

SEC. 8. That the Governor, Treasurer, Comptroller General, Chairman of the Committee on Finance of the Senate and the Chairman of the Committee on Ways and Means of the House of Representatives shall constitute a Board of Commissioners for the management and control of the said surplus fund for the extinguishment of the public debt.

Board of Commissioners

SEC. 9. That said Board shall give notice, by public advertisement, for thirty days prior to the first of September of each year, that they have under their control the sum of \_\_\_\_\_ dollars, to be applied to the purchase of such bonds and stocks as may be presented by the holders thereof for payment on the 1st of September as aforesaid: *Provided*, That said bonds be purchased at a price not above their market value at the time of purchase, said value to be ascertained at the principal stock markets of the United States,

Purchase of bonds, how to be made.

Proviso.

A. D. 1873.

by bids from the holders thereof, due notice having been given in one or more newspapers in the cities of Columbia, Charleston, Baltimore, Philadelphia, New York, Boston and Chicago, and the stocks or bonds offered at the lowest price shall in all cases be the stock or bonds purchased.

Bonds and  
stocks to be  
canceled when  
redeemed.

SEC. 10. That the bonds, coupons and stocks so redeemed shall be immediately canceled by the holders thereof, at the time of redemption, and filed in the office of the Treasurer, and be entered as credits upon, and to that extent in the extinguishment of, the public debt. That a detailed statement of the number, denomination and series of the bonds and stocks so redeemed and canceled, together with the price paid for each bond and stock as aforesaid, shall be prepared by the Treasurer, signed by the Board and furnished to the General Assembly at each annual session thereof.

Statement of  
same to be  
made to the  
General As-  
sembly.

Bonds re-  
ceived in ex-  
change to be  
canceled and  
registry kept.

SEC. 11. That all bonds and stocks of the State received in exchange for the bonds or stocks herein authorized shall be canceled immediately by the holders thereof, on presenting the same for exchange, and filed by the Treasurer with the permanent records of his office; and a correct registry shall be kept of all exchanges made under this Act, so as to exhibit in a separate account and convenient form the numbers and amounts of all bonds and stocks received into the Treasurer's office, together with the numbers and denominations of all bonds and stocks issued in exchange therefor. And the Secretary of State is hereby required to keep, at all times, a correct registry of all the bonds sealed by him under the provisions of this Act; and the Governor is, in like manner, hereby required to keep a similar registry of all bonds signed by him, each registry to be accessible for public inspection at all times.

Penalty for  
embezzlement  
or diversion of  
funds.

SEC. 12. That embezzlement or diversion of the said funds, whether directly or indirectly, by speculating in said bonds and stocks, or purchasing them at fictitious prices, are hereby declared to be a felony, punishable by a fine of not more than fifty thousand dollars nor less than five thousand dollars, and imprisonment for not more than ten years nor less than one year in the Penitentiary, proportionate to the amount embezzled or diverted; and the person or persons so offending shall be forever disqualified from holding any office of profit or trust in this State, unless the General Assembly shall, by a two-thirds vote, relieve him or them of such disability upon payment into the Treasury of double the amount so embezzled or diverted.

Appropriation  
to defray ex-  
penses.

SEC. 13. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of five thousand dollars, if so much be necessary, is hereby appropriated, to be drawn on the warrant of the Comptroller General, to be ap-



proved by the Governor, for the first year, and afterwards such sum as shall be fixed by law, and the said Board shall report to the General Assembly on or before December fifteenth how said fund has been expended.

A. D. 1873.

SEC. 14. That if any officer of the State upon whom any duty is devolved under the provisions of this Act shall neglect or refuse to perform said duty, he shall be subject to indictment for felony, and, upon conviction thereof, shall be fined in a sum not less than ten thousand nor more than twenty thousand dollars, and imprisonment in the Penitentiary not less than three nor more than five years, at the discretion of the Court.

Penalty for neglect or refusal to perform duties under this Act.

Approved December 22, 1873.

# AN ACT TO RECHARTER WHITE HALL FERRY IN BEAUFORT No. 428. COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry over Beaufort River leading from the town of Beaufort to Ladies' Island be, and the same is hereby, rechartered for the term of seven years, the same to be vested in Peter Gibbs and Peter Massey, their heirs and assigns, with the following rates of toll, to wit: Wagon and two horses, one dollar and fifty cents; wagon and one horse, one dollar; man and horse, fifty cents; each foot passenger, ten cents; and for cattle, hogs, sheep and goats, the same rates heretofore allowed: *Provided*, That school teachers and children going to and returning from school, ordained and licensed ministers of the gospel going to and returning from divine service and voters, on election days, going to and returning from the polls, shall pass free.

Ferry over Beaufort River rechartered.

Proviso.

SEC. 2. That the incorporators be required to keep a large, safe, seaworthy boat and flat to run on said ferry, and that they be required to make regular trips from each side of the ferry at least once every hour from six o'clock A. M. till 7 o'clock P. M., and on Sundays every two hours.

Ferry boat to make regular trips.

Approved December 22, 1873.



A. D. 1873. **AN ACT TO AMEND AN ACT TO FIX THE TIME FOR HOLDING OF  
THE CIRCUIT COURTS IN CERTAIN COUNTIES HEREIN MENTIONED, RELATING TO THE COUNTY OF AIKEN.**  
No. 429.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act to fix the time for holding of the Circuit Courts in certain Counties herein mentioned, passed February 4, 1873, be amended by striking out, on the fourth line, the word "second," and insert the word "first" therein, so that the same reads "after the first Monday of January, May and September."

Approved December 22, 1873.

No. 430. **AN ACT TO INCORPORATE THE TOWN OF LAURENS.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from  
Corporators. and after the passage of this Act, all citizens of this State, having resided twelve months within this State and sixty days in the town of Laurensville, shall be deemed, and are hereby declared to be, a body politic and corporate, and shall be known by the name of the  
Corporate town of Laurens, and its corporate limits shall extend one and one-half miles North, South, East and West from the court house, forming a square.

**SEC. 2.** That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said town sixty days immediately preceding their election, and who shall be elected on the second Tuesday in January, 1874, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all  
Electors. male inhabitants of the age of twenty-one years, citizens of the United States, and who shall have resided within the State twelve months and in the said town sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

**SEC. 3.** That said election shall be held at some convenient public place in said town from six o'clock in the morning until six o'clock in the afternoon; and when the polls shall be closed the  
Election.

Managers shall forthwith proceed to count the votes and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, The Commissioners of Election of Laurens County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make return thereof to the Commissioners, the same as other elections held in this State; and the said Commissioners shall count the votes and declare the election, and notify the persons so elected Intendant and Wardens of the said town. The Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Laurens, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of the said town: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens for the time being shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath to fairly and impartially conduct the same.

A. D. 1874.

Managers of Election.

Oath of office.

SEC. 4. That all the powers, privileges and rights conferred upon, together with all the restrictions and penalties imposed upon, the town of Anderson by an Act entitled "An Act to renew and amend the charter of the town of Anderson," approved March 9, 1871, be, and the same are hereby, granted to and imposed upon the Town Council of the town of Laurens.

Invested with powers, &amp;c., conferred on town of Anderson.

Approved December 22, 1873.

AN ACT TO ALTER AND AMEND SECTION 25 OF CHAPTER XXV, No. 431.  
TITLE VI, PART I, OF THE GENERAL STATUTES.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That wherever the word "freeholders" occurs in Section 25 of Chapter XXV, Title VI, Part I,

Word "freeholders" stricken out wherever it occurs.

A. D. 1874. of the General Statutes, the said word "freeholders" be, and the same is hereby, stricken out, and the words "persons qualified by law to serve as jurors" substituted therefor.

"Persons qualified by law to serve as jurors" substituted.

Approved January 29, 1874.

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No. 432. AN ACT TO REQUIRE ALL INSTITUTIONS DOING BUSINESS IN LENDING MONEY AND RECEIVING DEPOSITS UNDER CHARTERS GRANTED BY THE STATE TO PUBLISH QUARTERLY STATEMENTS OF THEIR BUSINESS AND CONDITION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all institutions doing business in this State in lending money and receiving deposits under Acts of incorporation granted by the State be, and they are hereby, required, under penalty of a forfeiture of their charters, to publish in a newspaper in the city, town or village where they, or any branch thereof, may do business, at the end of every three months, a correct report of the condition and business of such institution, which report shall contain a statement, under oath, by the President or Cashier of such institution, of the amount of the capital stock paid in, deposits, discounts, property and liabilities of said institution, verified by three of the Directors thereof.

Institutions lending money and receiving deposits to make quarterly statements of their condition.

Statement to be made under oath.

SEC. 2. Upon failure of any such institution to publish the report required in the first Section hereof, the Attorney General, on notice thereof, shall at once take the necessary steps to vacate the charter of said institution.

Charters of institutions failing to comply to be vacated.

Approved January 29, 1874.

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No. 433. AN ACT TO INCORPORATE THE FARMERS' AND PLANTERS' SAVING AND LOAN ASSOCIATION OF HAMBURG, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Lee, Samuel Spencer, Louis Schiller, Prince R. Rivers, John Williams, C. D. Hayne, John S. Simms, John Gardner, and such other persons as they may associate with them, their successors and as-

Corporators.

signs, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Farmers' and Planters' Saving and Loan Association of Hamburg," and by their corporate name may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State: *Provided*, That the stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise: *And, further*, No Director or other officer of said corporation shall borrow any money from said corporation; and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court. The books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

A. D. 1874.

Corporate name.

Proviso.

Officers of corporation not to borrow money from same.

Violation of this provision punishable by fine or imprisonment.

SEC. 2. That the said corporation shall have power and authority to make such rules and by-laws for its government as are not repugnant to the laws of the land; shall have a common seal, with power to change the same at will, and have such numbers and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them.

Powers and privileges.

SEC. 3. That the capital stock of said association shall be five hundred shares, or twenty-five thousand dollars, (\$25,000,) each share to be fifty dollars, with the privilege of increasing the same to any amount not exceeding one hundred thousand dollars, to be divided as above stated in shares of fifty dollars.

Capital stock.

SEC. 4. That the said association shall be ready for business when a sufficient number of shares have been taken, by paying one-fourth of each share, to the amount of five thousand dollars in cash. The association shall organize by electing one of their number President, one Secretary, and one Treasurer, and such number of Directors, not exceeding nine, and other officers as they may deem necessary. At such election each share shall have one vote.

When may commence business.

SEC. 5. The office or place of business of the association shall be in the town of Hamburg. The capital of the association shall be used to aid farmers and planters by advances of moneys or means to make their crops, and for such other purposes as they may deem proper and expedient, and shall take such securities as will make it safe to them.

Office to be located at Hamburg.

Objects of corporation.

SEC. 6. The said association may own, have, hold and enjoy real and personal property of all kinds, sell, alien, assign, transfer or dispose of the same at such time and on such terms as may to them



A. D. 1874.

Proviso.

seem proper: *Provided*, No real estate shall be disposed of only by the consent of a majority of the Board of Directors.

SEC. 7. That this association shall have all the rights and privileges vested in like corporations in this State to do and carry on such business as they shall deem to the interest of the shareholders. They shall, after ten days' notice by the officers, have a right to make such additional assessment on the shareholders as may be necessary to carry on the business.

SEC. 8. This Act shall be deemed a public Act and remain in force until repealed.

Approved January 29, 1874.

No. 434. AN ACT TO INCORPORATE THE CLARENDON AGRICULTURAL AND PROGRESSIVE ASSOCIATION OF CLARENDON COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. M. Benton, W. M. Dixon, June Walker, Edwin Bertrand, A. Collins, Rushus Servance, Thomas Pendergrass, Ellison Thomas, Jacob Ballard and Levander Servance, and their successors in office and associates, be, and they are hereby, declared a body politic and corporate, under the name and style of the Clarendon Agricultural and Progressive Association of Clarendon County, South Carolina, with a capital stock not to exceed twenty-five thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate name.

Capital stock.

Powers and privileges.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have all other rights, privileges and immunities that are now secured by law to corporate bodies.

SEC. 3. That this Act be deemed a public Act and shall have force until repealed.

Approved January 29, 1874.

AN ACT TO INCORPORATE THE PEE DEE YOUNG MEN'S PLANTING CLUB. A. D. 1874.  
No. 435.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sam Bolles, Philander Reed, Charles H. Sperry, James A. Bowley and C. S. Green, and their associates and successors, be, and the same are hereby, incorporated and declared a body politic and corporate, under the name and style of the Pee Dee Young Men's Planting Club. Corporators.  
  
Corporate name.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land, and shall have succession of officers and members according to their elections; to use and keep a common seal, and the same at will to alter; to sue and be sued in any Court of this State; to have and enjoy every right and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, not exceeding in value twenty-five thousand dollars, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same or any part thereof at will. Powers and privileges.  
  
Amount of property held not to exceed \$25,000.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved January 29, 1874.

AN ACT TO EMPOWER CORONERS TO PUNISH FOR CONTEMPT. No. 436.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any person or persons shall willfully disturb or impede the proceedings of a jury of inquest while inquiring into the cause of any death, or shall offer any contempt to the person or authority of the Coroner while so engaged, the Coroner is hereby empowered to commit such person or persons to the common jail of the County for a time not exceeding twenty-four hours. Coroners to punish for contempt, and commit offenders to jail.

SEC. 2. That any person who shall have been at any time duly summoned to attend and serve upon a Coroner's jury who shall neglect or refuse to so attend and serve without proper excuse shall be liable to be punished for contempt; and the Coroner is hereby authorized and empowered to punish such contempt by fine not exceeding twenty dollars, or imprisonment not more than twenty-four hours, or both, at his discretion. Persons refusing to serve on Coroner's jury punishable by fine or imprisonment.

Approved January 29, 1874.

A. D. 1874.

No. 437.

AN ACT TO CHARTER THE BOATMEN'S PHOSPHATE RIVER MINING COMPANY, IN THE STATE OF SOUTH CAROLINA, AND TO GRANT TO THE PERSONS NAMED THEREIN, AND THEIR ASSOCIATES, THE RIGHT TO DIG AND MINE IN THE BEDS OF THE NAVIGABLE STREAMS AND WATERS OF THE STATE OF SOUTH CAROLINA FOR PHOSPHATE ROCKS AND PHOSPHATIC DEPOSITS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina does hereby give and grant to the following persons, to wit, William T. Elfe, S. B. Garrett, Sancho Thompson, Lemuel Marshall, John X. Furman, Prince F. Stevens, July Rivers, John M. Freeman, Jr., Thomas Osborn, and such other persons as they may associate with them, the right to dig, mine and remove, for the full term of thirty years, from the beds of the navigable streams and waters within the jurisdiction of the State of South Carolina, the phosphate rocks and phosphatic deposits: *Provided*, That the persons named, and their associates, shall not in any way interfere with the free navigation of the navigable streams and waters of this State, or the private rights of any citizen or citizens residing upon or owning the lands upon the banks of the said navigable rivers and waters of the State.

SEC. 2. That this gift and grant is made upon the express condition that the said grantees shall pay to the State of South Carolina the sum of one dollar per ton for every ton of phosphate rock and phosphatic deposits dug, mined and removed from the navigable rivers and waters of the State; and, further, that the said grantees shall pay into the State Treasury the sum of one hundred dollars as a license fee before commencing business under this grant.

SEC. 3. That the said grantees and their associates shall make true and faithful returns to an authorized officer, annually, on or before the first day of October, and oftener if required by the said officer, of the number of tons of phosphate rocks and phosphatic deposits dug, mined and removed by them from the beds of the navigable streams and waters of the State, and shall punctually pay to the State Treasurer annually, on the first day of October, one dollar per ton for every ton of phosphate rocks and phosphatic deposits by them dug, mined and removed from the beds of the navigable streams and waters of the State during the year preceding. The books of said grantees and their associates shall be opened to the inspection of the said officer or agent duly appointed by him for that purpose; and they shall give a bond in the penal sum of

Corporators.

Certain rights vested in.

Not to obstruct the navigable streams and waters of the State.

Grantees to pay to State one dollar for every ton of phosphates dug.

Returns to be made to an authorized officer

Royalty to be paid on 1st October of every year.

Books of corporation to be open for inspection of authorized agent.



(\$5,000) five thousand dollars, conditioned that said grantees and their associates shall make true and correct returns of all phosphates dug by them, said bond to be filed in the office of the Comptroller General.

A. D. 1874.

Bond to be given for the performance of certain requirements.

SEC. 4. That the capital stock of said company shall consist of thirty thousand (30,000) dollars, to be divided into shares of ten dollars each, with the privilege of increasing the same to an amount not exceeding one hundred thousand dollars; and when the sum of three thousand dollars shall have been subscribed, the said company may be organized and go into operation.

Capital stock.

SEC. 3. That the profits of said company may from time to time be divided among the stockholders, according to such rules and regulations as they may prescribe, not repugnant to the laws of the State.

Profits to be divided among stockholders.

Approved January 29, 1874.

AN ACT TO AMEND A JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO LEVY A SPECIAL TAX, APPROVED FEBRUARY 26, 1873. No. 438.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of a Joint Resolution authorizing the County Commissioners of Beaufort County to levy a special tax, approved February 26, 1873, be, and the same is hereby, amended by striking out all after the words "duty of the Treasurer," and insert the following: "To report the amount of money collected from this tax, the same as all other taxes are reported, to the County Commissioners; and whenever one thousand dollars are reported in the treasury the County Commissioners shall advertise for thirty days for sealed bids from parties holding checks or audited claims contracted prior to November 1, 1872; said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on their checks or audited claims."

Treasurer to report amount of money collected to County Commissioners.

County Commissioners to draw orders on Treasurer.

SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved January 29, 1874.



A. D. 1874. AN ACT TO PROVIDE FOR THE PAYMENT OF THE CLAIMS HEREIN  
 NAMED.  
 No. 439.

Nineteen thousand dollars appropriated to pay claims of P. F. Frazee.

Description of claims.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of nineteen thousand (19,000) dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of the following claims in the hands of one Phineas F. Frazee, who owns and holds the same, to wit: One bill payable or certificate of the late State Treasurer, No. 1, bearing date March 13, 1872, for twenty-five hundred (2,500) dollars; one bill payable or certificate of the late State Treasurer, No. 9, bearing date March 14, 1872, for twenty-five hundred and seventy-three four one-hundredths (2,573.04) dollars; one bill payable or certificate of the late State Treasurer, No. 27, bearing date March 18, 1872, for five thousand and forty-one sixty one-hundredths (5,041.60) dollars; one bill payable or certificate of the late State Treasurer, No. 27½, bearing date March 18, 1872, for six thousand (6,000) dollars, all of which said bills payable or certificates of the late State Treasurer were issued under and pursuant to the provisions of the Joint Resolution of March 12, 1872; together with the interest on said bills payable or certificates of the late State Treasurer, at the rate of seven per cent. per annum; and also for the payment of legislative pay certificates issued to, and drawn in favor of, members and attachees of the General Assembly for the year 1871-72, not exceeding in amount the sum of five hundred dollars.

Comptroller General to draw warrant on State Treasurer.

Claims to be canceled and filed.

State Treasurer directed to pay warrants.

SEC. 2. That the Comptroller General of the State be, and he is hereby, authorized and required, on presentation and the surrender of the claims enumerated in the preceding Section of this Act, to draw his warrant or warrants, in such amounts and denominations as the claimant may desire, upon the State Treasurer, for the payment of the said claims so presented and surrendered; and he shall cancel the said claims so presented and surrendered, and preserve and file them in his office as his vouchers for his warrant or warrants so issued.

SEC. 3. That the State Treasurer be, and he is hereby, authorized and required to pay the Comptroller General's warrant or warrants issued under and pursuant to the provisions of Section 2 of this Act.

Approved January 29, 1874.

AN ACT TO AUTHORIZE JOHN EIDER OHLANDT TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT. A. D. 1874.  
No. 440.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Eider Ohlandt be, and is hereby, authorized to build a dock to deep water in front of the property owned by him in the town of Beaufort; to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing or hereafter to be made in relation to such property.

Approved February 6, 1874.

AN ACT PROVIDING FOR THE EXTENSION OF TIME FOR THE PAYMENT AND COLLECTION OF TAXES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1873, AND FOR OTHER PURPOSES. No. 441.

Whereas delay in the levy of certain taxes to meet appropriations for the fiscal year commencing November 1st, 1873, has continued beyond the time prescribed by law for the commencement of the collection of the same, and the time for the payment of said taxes before penalties must attach having already passed;

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any of the duties required to be performed in an Act entitled "An Act providing for the assessment and taxation of property," or an Act of amendment thereto, on or before a certain day, by any officer or person therein named, cannot, for want of proper time, be so performed, in the payment or collection of taxes to be levied to meet appropriation for the fiscal year commencing November 1, 1873, the Comptroller General, with the approval of the Governor, shall extend the time as long as may be necessary therefor. And it shall be lawful for the said Comptroller General, with the like approval, to extend the time wherein the penalty or penalties shall attach, and also the time when the advertisement and sale of such delinquent lands may be made, so as the same may conform to, as near as may be, the period fixed by law; and all advertisements and sales made in accordance with the instructions of the said Comptroller General,

A. D. 1874.

and all acts done, or required to be done, by any officer charged with any duties required in the collection of taxes or connected therewith by virtue of such authority, shall be in all respects as legal, and shall have the same force and effect, as if the said acts had been done and the duties performed within the period now fixed and specified by law.

Approved February 6, 1874.

No. 442. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF CHARLESTON."

Act to regulate appointment of Trial Justices in Charleston amended.  
Certain words to be stricken out and others inserted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the appointment and salary of Trial Justices in the city of Charleston" be amended as follows: In Section 1, line five, (5,) strike out the word "five" and insert "eight." In Section 2, on line five, (5,) strike out all after the word "Governor" and insert the following: "One to each ward, and each of the said Trial Justices shall have his office in the ward in which he is appointed." In Section 3, on line three, (3,) strike out "twelve" and insert "ten (10)."

County Treasurer to set aside sufficient money to pay salaries.

Failure of Treasurer to comply a misdemeanor.

SEC. 2. That the County Treasurer of Charleston be, and he is hereby, instructed to set aside annually out of the County funds a sum sufficient to pay the salaries of the officers herein provided, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, as may be deemed best in the judgment of the Circuit Court.

Approved February 6, 1874.

No. 443. AN ACT TO INCORPORATE THE HAMBURG WAREHOUSE COMPANY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. R. Rivers, Louis Schiller, C. D. Hayne, John Williams, Samuel Spencer, John Gardner, and their associates and successors, are hereby created

and constituted a body politic and corporate, under the name and style of the Hamburg Warehouse Company, and by that name may sue and be sued in all the Courts of this State; shall have a common seal, with power to change the same at pleasure; to make such rules and by-laws for their government as may seem to them proper, not inconsistent with the laws of the land, and for the government of its property, franchises and business; to acquire, have, hold, lease and convey real and personal property to any amount not exceeding fifty thousand (50,000) dollars at one time.

A. D. 1874.

Corporate name.

Powers and privileges.

SEC. 2. Said corporation shall be authorized to either purchase, take upon storage or deposits any description of property; to make loans on property, and to take such securities, real and personal, therefor as to them may seem proper and safe: *Provided*, That nothing herein contained shall authorize said corporation to engage in or exercise the business commonly known as "pawn-broking."

Proviso.

SEC. 3. The capital stock shall be twenty thousand (20,000) dollars, with power to increase the same to one hundred thousand (100,000) dollars, to be issued in shares of fifty (50) dollars each, such shares to be personal property and be transferable only upon the books of the corporation; and said corporation shall be authorized to commence business when ten per cent. of the capital shall have been paid in: *Provided*, That the stockholders of the company shall be liable to the amount of their respective share or shares of stock in said company for its debts and liabilities upon note or otherwise.

Capital stock.

Corporation may commence business when ten per cent. of capital stock is paid in.

Stockholders to be liable for debts of corporation.

SEC. 4. The property and business of the said corporation shall be managed and controlled by a Board of Trustees, to consist of not less than three nor more than five, who shall be chosen by a majority in interest of the stockholders at such times and places, and for such term, not less than one year, as shall be fixed by the by-laws of the corporation, and who shall hold their office until their successors are elected and qualified. Those elected shall choose one of their number as Chairman, one as Secretary, one as Treasurer. The first four named incorporators are hereby authorized to receive subscriptions to the capital stock of said company at any time and place they may deem expedient, or to appoint other suitable persons to do so.

Business to be conducted by Board of Trustees.

Certain persons authorized to receive subscriptions to capital stock.

SEC. 5. This Act shall take effect immediately and remain in force until repealed.

When to take effect.

Approved February 12, 1874.



A. D. 1874. **AN ACT TO INCORPORATE THE PLANTERS' REPUBLICAN SOCIETY OF ST. HELENA ISLAND, BEAUFORT COUNTY.**

No. 444.

**Corporators.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Hastings Gantt, Joseph Bird, Toby Bias, Plato Fields, Moses Brown, Harry Jenkins, Toby Brown, Benjamin Day, and their associates and successors, be, and they are hereby, constituted a body corporate and politic, under the name of "The Planters' Republican Society of St. Helena Island, Beaufort County," with the right to hold and own property not exceeding in value the sum of ten thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure, with the right also to make such by-laws for the government of the said corporation not inconsistent with the laws of the land.

**Corporate name.**

**Powers and privileges.**

**Made a public Act.**

SEC. 2. This Act shall be deemed a public Act and shall remain in force until repealed.

Approved February 12, 1874.

**No. 445. AN ACT TO INCORPORATE THE BEAUFORT COUNTY AGRICULTURAL AND MECHANICAL ASSOCIATION.**

**Corporators.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robert Smalls, P. L. Wiggins, Samuel Green, W. Kressel, F. W. Sheper, S. W. Wallace, J. B. Bascomb, J. H. Ruddell, C. J. Colcock, R. L. Bostick, E. J. Ravenah, J. W. Collins, William Fields, R. F. Greaves, Dr. Paul Pritchard, John M. Harvey, Hastings Gantt and J. A. J. Gill, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic in law, by the name of the "Beaufort County Agricultural and Mechanical Association," and by said name shall have perpetual succession of officers and members, and a common seal, with power to change the same as often as the said corporation shall deem expedient; and the said corporation shall be liable and capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value fifty thousand dollars, and the same, or any part

**Corporate name.**

**Powers and privileges.**

**May hold real estate to a amount of \$50,000.**

thereof, to sell, alien, devise or exchange as often as the said corporation may deem proper; and by its name to sue and be sued, implead and be impleaded, answer and be answered, in any Court in this State; and to make such by-laws and rules for the government of said corporation as may from time to time be deemed necessary: *Provided*, Such by-laws and rules be not repugnant to the laws of the land: *Provided, further*, That the real and personal property of each corporator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by them.

A. D. 1874.

Proviso.

Corporators  
to be liable for  
debts of corpo-  
ration.

SEC. 2. That the principal end of said corporation shall be the promotion of agriculture, mechanical arts and other industry and ingenuity through an annual fair, to be held in the said County of Beaufort, and other appropriate measures, according to such rules and regulations as they may see fit to establish.

Object of cor-  
poration.

SEC. 3. The members of said corporation shall be severally liable for all debts and contracts of said corporation only to the extent and amount of their respective shares therein; and the capital stock of the said corporation shall not be less than five thousand dollars nor more than fifty thousand.

Capital stock.

SEC. 4. That the property and stock of the said corporation shall be exempt from State, County and municipal taxation so long as no dividends shall be declared and distributed among its members.

To be exempt  
from taxation  
while no divi-  
dends are de-  
clared.

SEC. 5. This Act shall be deemed a public Act and shall continue in force for twenty-one years.

Approved February 12, 1874.

AN ACT TO AMEND AN ACT TO FIX THE TIME FOR THE HOLD-  
ING OF THE CIRCUIT COURTS IN CERTAIN COUNTIES THEREIN  
MENTIONED, RELATING TO THE COUNTY OF HORRY, APPROVED  
FEBRUARY 4, 1873.

No. 446.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three (3) of an Act entitled "An Act to fix the time for the holding of the Circuit Courts in certain Counties therein mentioned," relating to the County of Horry, approved February fourth, (4,) 1873, be, and is hereby, amended as follows: "The Court of General Sessions at Conwayboro, for the County of Horry, on the first Monday after

Courts—time  
of holding in  
Horry County.

A. D. 1874. the fourth Monday of February, June and October; and the Court of Common Pleas at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday after the fourth Monday of February, June and October."

Approved February 12, 1874.

NO. 447. AN ACT TO INCORPORATE CERTAIN BENEVOLENT SOCIETIES IN BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Brister Baker, Richard Washington, Jr., Walley Green, A. R. Middleton, John Houston, E. D. Lopez, Samuel Malijer, Gabriel Parker, their associates and successors, be, and they are hereby, made and created a body corporate and politic, in deed and in law, by the name and style of the "Benevolent Society of the Tabernacle Church of Beaufort," with all rights and privileges incident to corporations under the laws of this State; and that Peter Deas, Precilla Bird, Cateline Green, Chance Smith, Samuel Green, Dianah Jenkins, their associates and successors, be, and they are hereby, made and created a body corporate and politic, in deed and in law, by the name and style of the "Ladies and Gentlemen of Charity Society of Lady Island," with all the rights and privileges incident to corporations under the laws of this State; and that William Mathews, Mingo Faultain, Peter Washington, B. F. Young, and their associates and successors, be, and they are hereby, made and created a body corporate and politic, in deed and law, by the name and style of the "Christian Hope Society of Paris Island," with all the rights and privileges incident to such corporations under the laws of this State.

SEC. 2. That the said corporations shall have, hold and enjoy all such real and personal property as they may acquire by gift, grant, purchase or otherwise, not exceeding in value the sum of ten thousand dollars; that they may have and use a common seal, the same to be altered at pleasure.

SEC. 3. This Act shall be deemed a public Act and continue of force until repealed.

Approved February 12, 1874.



AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED  
LANDS UPON CERTAIN CONDITIONS THEREIN MENTIONED.

A. D. 1874.

No. 448.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases where lands have been forfeited to the State by virtue of existing laws for the non-payment of taxes prior to the passage of this Act, and where the titles to said lands still remain in this State, the owners of said lands, or, if they be dead, their legal representatives or heirs-at-law, shall have the right, and they are hereby authorized, to redeem the same upon the payment of all taxes, costs and penalties due and owing upon the same within twelve months after the ratification of this Act; and the County Auditors of those Counties where such lands are situate, upon the payment of such taxes, costs and penalties within the time herein limited, shall expunge the said lands from the forfeited land records of their respective Counties: *Provided*, That if the owners of said lands, or, if they be dead, their heirs-at-law or legal representatives, shall fail, within the time limited, to redeem said forfeited lands, as hereinbefore prescribed, then any judgment creditor, mortgagee or other person interested in said lands is hereby authorized to redeem the said forfeited lands within three months after the expiration of the time limited for the owner or heirs of such person to redeem them, upon the same terms and with the same rights as are accorded in the provisions of this Act to owners, or, if they be dead, their legal heirs or representatives.

Forfeited  
lands may be  
redeemed on  
certain condi-  
tions.

Time for re-  
demption.

When re-  
deemed County  
Auditors to  
expunge from  
forfeited land  
record.

Proviso.

Any person  
interested in  
lands may re-  
deem.

SEC. 2. That it shall be the duty of the County Auditor of each County, after the time shall have expired provided in this Act for the redemption of lands which have been forfeited to the State for non-payment of taxes, to give notice of the sale of the same by advertisement in at least one newspaper of the County in which the lands are situated for thirty days prior to the sale, or, if there be no newspaper in the County, in one which has the largest circulation in said County at the time of such sale. The said lands shall not be sold at a price less than the assessed value of the same at the time they became forfeited to the State; one-third of the purchase money to be paid down, and the balance, with interest, in two annual installments: *Provided, however*, If any person elects to pay the full amount of the purchase money at once he can do so.

County Aud-  
itor to publish  
notice of sale  
of forfeited  
lands.

Lands not to  
be sold for less  
than assessed  
value.

Purchase  
money, how  
payable.

SEC. 3. That all moneys accruing under the provisions of this Act which shall be in excess of taxes, penalties, interest or claims upon the lands due the State shall be set apart and retained in the hands of the County Treasurer as a school fund for the County in

Moneys ac-  
cruing in ex-  
cess of taxes,  
penalties, &c.,  
to be used  
for school pur-  
poses.



A. D. 1874.

which the forfeited lands have been sold; the said fund to be used for educational purposes only, to be appropriated according to the existing laws of this State.

Patents to be  
issued to *bona  
fide* purchasers.

SEC. 4. That after the purchase money shall have been fully paid, together with the interest thereon, the Governor is authorized and required to cause a patent or patents to be issued to any such person as may be the *bona fide* purchaser, owner, assignee or transferee of such lands or tenements, under and by virtue of any certificates of sales, or under and by virtue of any assignment or transfer of such certificate: *Provided*, That in case of an assignment or transfer of a certificate of sale, the person applying for such patent shall give satisfactory proof to the County Treasurer of the preceding transfers and assignments.

County Treasurers to make  
detailed report  
to General  
Assembly.

SEC. 5. That the County Treasurer of each County shall, on or before December 15 of each year, report to the General Assembly all lands sold under the provisions of this Act, the certificates of sale issued, and the terms as well as the amount of each sale, and the disposition of the funds so derived.

Moneys ac-  
cruing to the  
State—how to  
be accounted  
for.

SEC. 6. All moneys accruing to the State under the provisions of this Act, except as provided for in Section 3, for the school fund shall be paid over and accounted for in the same manner as money received for taxes.

SEC. 7. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 13, 1874.

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NO. 449. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SPARTANBURG AND ASHEVILLE RAILROAD COMPANY."

Counties,  
cities or towns  
may subscribe  
to capital stock

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be lawful for any County, town or city in this State interested in the construction of the Spartanburg and Asheville Railroad in South Carolina, or any branch thereof, to subscribe to the capital stock of said company, or of any company with which it may consolidate or unite, such sum, and to be payable in such manner, as the people or the proper authorities of such County, town or city shall deem best, determine and author-

ize: *Provided*, That the amount of stock to be subscribed shall not exceed five per cent. of the entire valuation of the entire property of the County, town or city so subscribing: *Provided, further*, That the County, city or town subscribing, under the provisions of this Act, to the capital stock of the said railroad company shall have issued to the said County, city or town preferred stock in said railroad company to the amount of said subscription.

A. D. 1874.

Amount of stock subscribed must not exceed five per cent. of the value of the property of the County, city or town, &c.

SEC. 2. That it shall be the duty of the County Commissioners of such County, for their respective Counties, and the proper authorities of such town or city, for their respective towns and cities, interested in the construction of the road aforesaid, upon the petition of one hundred legal voters of such County, or twenty-five legal voters of such town or city, to submit the question of subscription or no subscription, and the sum or sums to be subscribed to the said capital stock, to a vote of the qualified voters of such County, town or city, and to that end public notice shall be given for thirty days previous of the time and places where and when the vote will be taken upon said question of subscription or no subscription.

Question of subscription to be submitted to qualified voters

Notice to be given of the time and places of voting.

SEC. 3. That the County Commissioners of such Counties and the proper authorities of the several cities and towns which may vote for subscription to the capital stock aforesaid be empowered, as soon as the said railroad company shall have complied with the terms of subscription, to have levied and collected from year to year, on the taxable property of such County, town or city, a sum of money sufficient to meet the interest accruing on such bonds as may be issued to meet such subscription to the capital stock of the said Spartanburg and Asheville Railroad Company, and to provide for the payment of said bonds as they may fall due.

Tax to be levied to meet interest accruing on bonds.

SEC. 4. That no stockholder of said company shall be held liable for the debts, contracts or acts of said corporation beyond the amounts actually subscribed to the capital stock of said company by such stockholder.

Stockholders shall not be liable for the debts of the corporation beyond the amount of stock owned.

SEC. 5. That the election to be ordered under the provisions of this amendment shall be held by Managers to be appointed by the County Commissioners of the respective Counties, or the town and city authorities of their respective towns and cities, in accordance with the laws and regulations providing for general elections in this State: *Provided*, The returns of the polls shall be made to the said County Commissioners or proper town or city authorities, as the case may be, who shall declare the result.

Managers of Election—by whom appointed.

Proviso.

A. D. 1874. AN ACT TO INCORPORATE THE PIEDMONT MANUFACTURING  
 COMPANY.

No. 450.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry P. Hammett, Hamlin Beattie, Alexander McBee and Thomas C. Gower, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the Piedmont Manufacturing Company, for the purpose of manufacturing, dyeing, printing and finishing all goods made of cotton or wool, or of which cotton or other fibrous articles may form a part, and for grinding wheat, corn and other grain, sawing lumber and selling merchandise, and for the transaction of all such business as may be necessarily connected therewith, and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same; and they shall have power to raise by subscription, in shares of one hundred dollars each, a capital of three hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained before said increase of the capital is made.

SEC. 2. That the said corporation may purchase and hold such real estate as they may think necessary for their purposes, and such as they may deem it for their interest to take in the settlement of any debts due to them, and may dispose of the same; and may sue and be sued in all Courts of law and equity, have and use a common seal, and make such by-laws and regulations for their government as they may deem proper and necessary, not inconsistent with the Constitution and laws of the United States and of this State; and shall have generally all the rights, powers and privileges in law incident or appertaining to corporations.

SEC. 3. The said corporation shall not go into operation until the sum of seventy-five thousand dollars is subscribed to the capital stock, twenty-five per cent. of which shall have been paid in cash, which subscription and payment shall be certified to under oath of the President and Treasurer of the said corporation, which shall be recorded in the Secretary of State's office and published in at least two newspapers in the State—one in the city of Greenville and the other in the city of Columbia; and when these requirements are complied with, the said corporation is authorized to com-

Corporators.

Corporate name.

Objects of corporation.

Capital stock.

General powers.

When may commence operations.

Certificate to be filed with Secretary of State and published.



mence operations under this Act, and to call for the payment of all subsequent assessments upon the stock subscribed, in such sums and at such times as the President and a majority of the Directors of the said corporation may determine.

SEC. 4. That the capital stock shall be deemed personal property and transferable upon the books of the said corporation; and no part of the capital stock shall, at any time or upon any pretense whatever, be loaned or divided amongst the stockholders; neither shall the capital be withdrawn or divided amongst the stockholders until all the liabilities of the company are lawfully paid; and no dividends shall be declared except from the net earnings of the company; each stockholder shall have one vote for each share which he may own or represent at the election of President and Directors, and at all meetings of the company.

SEC. 5. That if the proprietor of any share shall neglect to pay the installments assessed thereon for the space of sixty days after the time appointed for the payment thereof, the Treasurer of the corporation may, by order of the President and a majority of the Directors, sell, at public auction, such number of delinquent shares as may be necessary to pay such assessment: *Provided*, That such sale be advertised for three weeks successively in some newspaper published in the city of Greenville; and a bill of sale by the President of said corporation shall transfer such shares to the purchaser and entitle him to a certificate thereof.

SEC. 6. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of twenty years, and until the next meeting of the General Assembly thereafter.

Approved February 13, 1874.

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AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF BLACKVILLE. No. 451.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State having resided sixty days in the town of Blackville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Blackville, and its corporate limits shall be held and deemed to extend one mile on lines extending at right angles to each other from the South Carolina Railroad depot as a central point, and respectively



A. D. 1874. perpendicular to and parallel with the railroad avenue, forming a square area.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the State and shall have been residents of the said town sixty days immediately preceding their election, who shall be elected on the second Monday in October of the present year, and thereafter on the same day in each succeeding year, as hereafter provided, ten days' public notice being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in said town for thirty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Electors.

Election.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in the town hall, or some other convenient public place in the said town, from seven o'clock in the morning until five o'clock in the afternoon; and when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice in writing, or cause the same to be given, to the persons duly elected. The Intendant and Wardens shall appoint, for the time being, three citizens as a Board of Managers to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same; and, furthermore, the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this

Oath of office.

State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Blackville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected: So help me God." And if any person, upon permitting his name to be used as a candidate, and being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the said Town Council a sum not exceeding twenty dollars. The said Intendant and Wardens shall hold their offices from the time of their qualification until the second Monday in October of the ensuing year and until their successors shall be elected and qualified.

Vacancies.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held, by the appointment by the Intendant and Wardens, or by the acting Intendant and Wardens or Warden, as the case may be, ten days' public notice thereof having been

previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act in his stead during such absence. A. D. 1874.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, be vested with all the jurisdiction and powers of Trial Justice or other inferior Court within the limits of said town; and the said Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Blackville; and they, and their successors, hereafter to be elected, may have a common seal, to be affixed to all ordinances; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same: *Provided*, The same shall not exceed at any one time the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances not conflicting with the State laws for the benefit and welfare of said town, said rules, by-laws and ordinances to be subject to revisal or repeal by the General Assembly of this State. And said Council may fix and impose fines and penalties for the violations thereof, and shall have the same powers which Trial Justices now have to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person for a violation of any of their rules, by-laws or ordinances; and all such fines shall be appropriated to the public use of the corporation; and the said Town Council is hereby empowered to collect all such fines in the manner now prescribed by law: *Provided*, No punishment shall exceed twenty-five dollars or ten days' imprisonment. Judicial powers.

SEC. 6. That the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many persons as Marshals or Constables of said town as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which person or persons so appointed shall, within the corporate limits of said town, have all the power and privileges, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council. General powers.

SEC. 7. That the said Town Council of Blackville shall have power to arrest and commit to the guard house of said town for a Marshals powers and duties.

May arrest and punish offenders.

A. D. 1874. space of time before trial not exceeding twenty-four hours any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of the citizens thereof; and it shall be the duty of the Marshal of the town to make such arrest, and to call to his assistance the *posse comitatus*, if necessary; and upon a failure to perform such duty he shall be fined such sum and be liable to such penalties as said Town Council may impose; and any person so summoned by the Marshal to aid in such arrest, and refusing to render any or proper assistance, shall be fined a sum not exceeding ten dollars or be imprisoned for a period not exceeding five days.

Nuisances.

SEC. 8. That the said Town Council shall have full power to abate and remove nuisances in said town; and it shall be their duty to keep all roads, streets, alleys, ways and bridges within the corporate limits of said town open and in good repair; and for that purpose they are invested with all the powers heretofore granted to County Commissioners, and shall have power to classify and arrange the male inhabitants of said town liable to road, street and other public duty therein, and to force the performance of such duty by the imposition of a fine, not exceeding ten dollars, upon any person or persons refusing or failing, after due summons, to work such streets: *Provided*, Such person or persons shall have the privilege of compounding, in lieu of such work, by the payment of such sum as the said Council shall fix by ordinance; and all such compound money shall be applied to the keeping in repair the streets, ways and bridges in the said town, and for other public purposes: *And provided, also*, That the Intendant, and Wardens of the said town shall be exempt from the performance of road and police duty, and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.

Sidewalks.

SEC. 9. That the said Town Council of Blackville shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof and the manner of construction to be designated and regulated by the Town Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair and require the owner to pay the price of making or repairing: *Provided*, That such contracts for making or repairing be let to the lowest bidder.

Control of  
roads and  
streets.

SEC. 10. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale



of the freehold therein, either at private or public sale, as they adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways as they may from time to time deem necessary for the improvement and convenience of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

SEC. 11. That the Town Council of said town shall have full power to grant or refuse licenses to any person, firm, company or corporation engaged in, or intending to be engaged in, the sale of spirituous liquors, or any trade, business or profession whatsoever, within the corporate limits of said town, upon such conditions and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern to retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within the said limits without licenses shall be appropriated to the public uses of said town: *Provided*, That the said Town Council shall not have power to grant any licenses for over the term of one year.

SEC. 12. The said Town Council shall have power to impose an annual tax not exceeding fifty cents on every hundred dollars of the assessed value of all real and personal estate lying within the corporate limits of said town (property exempt by law alone excepted). The said Town Council shall have the power to regulate the price of license upon all public shows and exhibitions in said town. The said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property and persons of defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and be directed to the Town Marshal or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid.

SEC. 13. And all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. And this Act shall be deemed a public Act and shall remain in force until repealed.

Approved February 13, 1874.

A. D. 1874.

Licenses.

Annual taxation.

Executions.



A. D. 1874. **AN ACT TO AUTHORIZE FRANCIS HAHNN TO ADOPT AND MAKE HIS LAWFUL HEIRS WILLIAM ALBERT ENLOWE AND JAMES DRAYTON ENLOWE, AND TO CHANGE THE NAMES OF THE SAID WILLIAM ALBERT ENLOWE AND JAMES DRAYTON ENLOWE TO WILLIAM ALBERT HAHNN AND JAMES DRAYTON HAHNN.**

Francis Hahn  
to adopt Wm.  
A. Enlowe and  
James D. En-  
lowe.

N a m e s  
changed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Francis Hahn is hereby authorized and empowered to adopt and make his lawful heirs William Albert Enlowe and James Drayton Enlowe, and that the names of the said William Albert Enlowe and James Drayton Enlowe be changed to William Albert Hahn and James Drayton Hahn.

SEC. 2. That should the said Francis Hahn die intestate, the said William Albert Hahn and James Drayton Hahn shall inherit his estate, both real and personal.

Approved February 13, 1874.

No. 453. **AN ACT TO INCORPORATE THE STATE COUNCIL OF THE FRIENDS OF TEMPERANCE OF THE STATE OF SOUTH CAROLINA.**

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John G. Blue, James F. Bragdon, Theodore F. Malloy, Rev. A. Coke Smith, Hugh R. Johnson, John O. Willson, D. Evander Gilchrist, Frederick F. Warley, John Frierson, Reverend Silas P. H. Elwell, Legrand G. Walker, Rev. James B. Campbell, William W. Sellers, Joseph T. Walsh, Rev. William C. Power and others, who now are or may hereafter become officers and members of the State Council of the Friends of Temperance, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the State Council of the Friends of Temperance of the State of South Carolina; and that the said corporation, by its corporate name, may sue and be sued, plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements or real estate of what kind and nature whatsoever, and the same, or any part thereof, to sell, alien, grant, release, bargain or convey at their will or pleasure: *Provided*, That the property so held shall not exceed the annual value

Corporate  
name.

Powers and  
privileges.

Proviso.

of fifty thousand dollars; and the said corporation shall have power to make and use a common seal, with power to change and alter the same as often as they shall deem necessary.

A. D. 1874.

SEC. 2. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved February 13, 1874.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF AIKEN COUNTY TO CONSTRUCT A BRIDGE OVER UPPER THREE RUN CREEK, IN AIKEN COUNTY. No. 454.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Aiken County be, and they are hereby, empowered and required to construct a bridge over Upper Three Run Creek, (as early as practicable,) at the termination of the road leading from Dr. Stelling's, past Jeff Green's, to said Upper Three Run Creek, said bridge to be kept in repair by the County Commissioners of Aiken.

County Commissioners to build bridge over Upper Three Run Creek.

Approved February 13, 1874.

AN ACT TO INCORPORATE THE PORT ROYAL DOCK, WAREHOUSING, TRANSPORTATION AND BANKING COMPANY. No. 455.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Peter Papin, M. R. Cooper, Alfred Williams, John W. Wallace, James Gardner, B. W. Lawton, LeRoy F. Youmans, A. O. Jones, N. B. Myers, J. B. Bascomb, R. H. Gleaves, J. D. Robertson, Samuel Green, H. E. Hayne, Robert Smalls, S. J. Lee, J. Woodruff, Hastings Gantt, T. C. Dunn, J. Bodington, S. Willet, D. Epstin, and all persons who shall or may be associated with them, and their successors, be, and are hereby, created and erected into a body corporate and politic in deed and in law, by the name and title of the "Port Royal Dock, Warehousing, Transportation and Banking Company."

Corporators.

Corporate name.

SEC. 2. That said incorporators and associates shall have power to erect on any land now in their possession, or that may hereafter become possessed of as a body politic, in and abutting on Port Royal harbor, docks, wharves, warehouses and other shipping improve-

Incorporators may erect wharves, warehouses, &c., and collect wharfage.

A. D. 1874.      ments and accommodations for the carrying on the business of general shippers, with power to collect wharfage.

May build and run railway or tramway.      SEC. 3. That in order to facilitate the transportation of freight or merchandise to and from their docks, wharves or warehouses, the said company are authorized to build, lay and run a railway or tramway track or tracks upon their property, should it be found desirable.

May purchase and navigate steamships as common carriers.      SEC. 4. That in furtherance of this object of this company, and for the benefit and development of the agricultural and commercial interests of South Carolina, power and authority is hereby granted and given to said company to build, charter, purchase and sell, navigate and sail, steamships or sailing vessels between Port Royal harbor and any domestic or foreign ports, as common carriers, charging customary rates of freight.

May establish and conduct a banking business.      SEC. 5. That for the purpose of more fully developing the business of said company they shall have power to establish a banking department, of which the principal object shall be of making advances on consignments, bills of lading, bottomries and general shipping interests.

Capital stock.      SEC. 6. That the capital stock of said company shall be five hundred thousand dollars, in shares of one hundred dollars each, with power to increase to three million dollars; and that said company may proceed to build docks, wharves, warehouses and establish other shipping and financial facilities as soon as fifty thousand dollars shall have been subscribed to its capital stock.

When may commence operations.      SEC. 7. That the said company shall have power and authority to issue seven per cent. coupon bonds to an amount equal to their capital subscribed and paid in, the same to be redeemable at such time, not exceeding twenty years, as may be agreed upon by the said company.

May issue bonds.      SEC. 8. That said company shall have power to enact by-laws not repugnant with the laws of this State or of the United States; that they shall have and hold a common seal, the same to alter at pleasure; that, as a body corporate, they may sue and be sued, plead and be impleaded, defend and be defended, in any Courts of this State or of the United States of appropriate jurisdiction.

General powers.      SEC. 9. That the principal office of the company shall be located at Port Royal, S. C., or wherever docks, wharves, warehouses and other improvements may be erected in said Port Royal harbor.

Location of principal office.      SEC. 10. That this charter shall remain in effect for fifty years.

Approved February 13, 1874.



## AN ACT TO INCORPORATE THE TOWN OF MAYESVILLE.

A. D. 1871.

No. 456.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided twelve months within the State and sixty days in the town of Mayesville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Mayesville, and its corporate limits shall extend one-half of one mile in each direction from the depot of the Wilmington, Columbia and Augusta Railroad in the said town.

Corporators.

Corporate limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in the said town for sixty days immediately preceding their election, who shall be elected on the first Monday in April in every year, ten days' notice of such election being previously given; and that all the male inhabitants of the said town who have attained the age of twenty-one years, and who have resided therein sixty days previous to said election, shall be entitled to vote for said Intendant and Wardens, the election to be held from seven o'clock in the morning until six o'clock in the afternoon; and when the polls shall be closed, the Managers shall proclaim the election, and give notice thereof in writing to the persons elected; and that the Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election; that the Intendant and Wardens elect, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Mayesville, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

Officers.

Electors.

Election.

Oath of office.

SEC. 3. That in the case of a vacancy in the office of Intendant or any of the Wardens by death, resignation, removal from office or absence from the State, an election shall be held by the appointment of the Intendant or Wardens, as the case may be; and that said Intendant shall give ten days' previous notice of such election; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during the time.

Vacancies.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively,

Judicial officers.



A. D. 1874.

be vested with all the powers of the Justices of the Peace of the State within the limits of the said town; that the Intendant shall and may, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of "The Town Council of Mayesville;" and that they and their successors in office may have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals within their jurisdiction, according to law, as they shall deem expedient and proper, which Marshals shall have all the powers, privileges and emoluments, and be subject to all duties, penalties and regulations provided by the laws of the State for the office of Constable. And the Intendant and Wardens shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, markets and police of said town as shall appear to them best for the preservation of the peace and welfare of the town; and the said Council shall affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars; and when fines exceed twenty dollars, they may be recovered in a Trial Justice's Court for Sumter County; and when they are of the amount of twenty dollars or under, they may be recovered before said Intendant and Wardens in Council: *Provided*, That nothing herein contained shall empower the said Council to ordain or establish any by-laws or ordinances inconsistent with or repugnant to the laws of the land; and all such by-laws and ordinances shall at all times be subject to revisal or repeal by the Legislature.

Marshals.

Fines.

Proviso.

Nuisances.

SEC. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits; and in case of disorderly behavior, the Intendant and Wardens, or any one of them, upon view thereof, or upon complaint lodged on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before him or them or a Trial Justice of the County, and, upon due examination, shall either release, admit to bail (if the offense be bailable) or commit to jail such offenders, as the case may require; and the Sheriff of Sumter County is hereby required to receive and keep persons so committed until discharged by due course of law; and that the said Intendant and Wardens shall, collectively and severally, have jurisdiction within the said corporate limits in all criminal cases as Trial Justices have according to law.

Roads and streets.

SEC. 6. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and alleys within the said limits

open and in good repair, and for that purpose they are invested with all the powers granted by law to the County Commissioners; and for neglect of duty, they shall be liable to the penalties imposed by law upon County Commissioners for like neglect.

SEC. 7. That for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of General Sessions, and, upon conviction, to punishment, besides being liable for damages to any person or persons injured: *Provided*, That such fine shall not exceed the sum of one hundred dollars.

A. D. 1874.

Penalty for violation or neglect of duty.

Approved February 13, 1874.

AN ACT TO RENEW THE CHARTER OF THE CHARLESTON FLOAT- No. 457.  
ING DRY DOCK AND MARINE RAILWAY COMPANY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act of the said General Assembly of this State entitled "An Act to incorporate the Charleston Dry Dock and Marine Railway Company," passed and ratified the 16th day of December, in the year of our Lord 1851, be, and the same is hereby, renewed and extended for the term of ten years from the ratification and approval of this Act.

Charleston Dry Dock and Marine Railway Company, charter renewed.

Approved February 13, 1874.

AN ACT TO INCORPORATE THE TOWN OF SCRANTON, IN THE No. 458.  
COUNTY OF WILLIAMSBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all citizens of the State who may reside in what has been known as the village of Leesville, in the County of Williamsburg, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

SEC. 2. That the said persons and their successors shall be a body politic and corporate, which shall be known and called by the name of the town of Scranton, and the corporate limits thereof shall extend one-half mile in each direction from the depot of the Northeastern Railroad in said town.

Corporate name.

Corporate limits.

A. D. 1874.

Invested with  
powers and  
privileges con-  
ferred on vil-  
lage of Kings-  
tree.

SEC. 3. That the said corporation shall enjoy all the powers and privileges conferred, and be liable to all the restrictions imposed, by an Act entitled "An Act to alter and amend an Act entitled 'An Act to incorporate the village of Kingstree,'" approved March 26, A. D. 1869.

Officers.

SEC. 4. That said town shall be governed by an Intendant and four Wardens, who shall, at the time of their election, be members of the said corporation, and shall be elected on the first Monday in April in each year, five days' public notice thereof being previously given; and all members of said corporation shall be entitled to vote at any and all elections for Intendant and Wardens of the town of Seranton: *Provided*, That the first election to be held under this Act shall be conducted by a Board of three Managers of Election, to consist of S. D. M. Bird, W. S. Lee and W. J. M. Lee, who shall conduct the same and declare the result, giving notice, in writing, to the persons so elected as Intendant and Wardens.

Managers.

SEC. 5. This Act shall be taken and deemed a public Act and shall remain in force until repealed.

Approved February 13, 1874.

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No. 459. AN ACT TO AUTHORIZE WILLIAM KRESSEL TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT.

Wm. Kressel  
empowered to  
build dock and  
collect wharf-  
age.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Kressel be, and is hereby, authorized to build a dock to deep water in front of the property owned by him in the town of Beaufort, to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing or hereafter to be made in relation to such property.

Approved February 13, 1874.

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No. 460. AN ACT TO RENEW AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE HOME INSURANCE COMPANY OF CHARLESTON."

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the General Assembly of the said State entitled "An Act to incorporate the

Home Insurance Company, of Charleston" be, and the same is hereby, revived, renewed and extended from the passage hereof, with the following alterations and amendments, viz.—Section 5: Strike out the words "one year," and insert in lieu thereof the words "two years;" Section 8: After the word "*respondentia*," add the words "or other securities;" Section 14: Strike out the words "one year" and insert in lieu thereof the words "two years."

A. D. 1874.

Home Insurance Company, charter renewed and extended.

"Two years" inserted in lieu of "one year."

Approved February 13, 1874.

AN ACT TO RECHARTER SWANZEY'S FERRY.

No. 461.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry knows as Swanzey's Ferry, across the Saluda River, be, and is hereby, rechartered and vested in Thomas Stewart, his heirs and assigns, the usual rates of toll to be charged for crossing said ferry: *Provided*, That school teachers and school children going to and returning from school, ministers of the gospel going to and returning from divine worship, be allowed to pass free.

Swanzey's Ferry, rechartered and vested in Thomas Stewart.

SEC. 2. That this Act shall be deemed a public Act and remain in force until repealed.

Approved February 19, 1874.

AN ACT TO ESTABLISH CERTAIN STATE SCHOLARSHIPS IN THE UNIVERSITY OF SOUTH CAROLINA. No. 462.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of extending the benefits of a higher education to the citizens of this State, there shall be, and there are hereby, established in the University of South Carolina permanent quadrennial State scholarships, which shall be apportioned among the several Counties of this State according to the number of Representatives from the said Counties in the General Assembly, each scholar to receive two hundred dollars per annum: *Provided*, That each County shall send but one scholar for the fiscal year after the passage of this Act; and annually thereafter, on the first Monday in June, the State Board of Examiners shall so apportion the number of scholarships to each

State scholarships established.

How apportioned.

Scholars to receive two hundred dollars each. *Proviso*.

State Board of Examiners to apportion scholarships.



A. D. 1874. County as will at the expiration of four years complete the number to which each County may be entitled, and notify the County Board of Examiners of the respective Counties of each annual appointment: *Provided*, That the whole number of pupils at the expiration of four years shall not be less than one hundred and twenty-four: *Provided, further*, That as often as a vacancy occurs from graduation or otherwise, the County credited with the vacancy shall be notified thereof and fill the same.

Number of pupils not to exceed one hundred and twenty-four.

Public competitive examinations.

How to be conducted.

County Board of Examiners to issue certificates of proficiency.

State Board to select scholar passing best examination.

Vacancies—how filled.

SEC. 2. That to the end that the advantages and benefits accruing from the State scholarships provided for in the first Section of this Act may be bestowed upon suitable and deserving persons, the County Board of Examiners of each of the several Counties in the State, having been notified of the number of scholarships to which their respective Counties are entitled, are hereby authorized and required to hold, annually, on the first Monday in July, at the County seat of their County, a free public competitive examination, except the first examination, which shall be held within thirty days after the passage of this Act, such examination to be conducted in such a manner and according to such rules and regulations as shall be prescribed by the State Superintendent of Education. The said County Board of Examiners shall send three candidates for every scholarship their respective Counties may be entitled to for a final examination before the State Board of Examiners, and shall give to each of the candidates exhibiting the greatest proficiency in all the branches of study required for the admission of students into the University a certificate to the effect that said candidate passed the best examination before them of all those competing, is entitled to appear before the State Board of Examiners hereinafter created for final examination for appointment to a State scholarship in the University. The State Board of Examiners shall select from every three scholars so recommended by the said County Board of Examiners the one who shall pass the best examination before them for the scholarship of his respective County; and the State Board of Examiners shall notify the County Board of Examiners of any vacancy that may occur by reason of death, resignation or otherwise, and said vacancy shall be filled in the same manner as a vacancy by graduation is filled. Should any County in the State, from any cause, fail to forward applicants for the scholarships to which said County may be entitled, the State Board of Examiners is hereby authorized to fill such from any applicants found duly qualified who may appear before them: *Provided, however*, That nothing herein contained shall prevent the State Board of Examiners from examining any person or persons who may appear before them for examination from any County in which no examinations

shall have been held by the County Board of Examiners under the provisions of this Act.

A. D. 1874.

SEC. 3. The State Board of Examiners shall consist of the Faculty of the University and the State Superintendent of Education, the said Superintendent to be *ex officio* Chairman of said Board.

State Board,  
of whom to  
consist.

SEC. 4. For the purpose of carrying out the provisions of this Act, there shall be, and there is hereby, appropriated for the fiscal year beginning November 1st, 1873, the sum of six thousand four hundred dollars, (\$6,400,) and there shall be annually appropriated a sufficient sum of money for the maintenance of the scholarships hereinbefore provided for.

Appropriation  
for main-  
tenance of  
scholarships.

SEC. 5. Said appropriation shall be paid to the several pupils in ten monthly installments of twenty dollars each by the State Treasurer, upon the order of the Board of Trustees of the University.

Appropriation payable in  
installments.

SEC. 6. That the State Treasurer be, and he is hereby, authorized and required to keep separate and apart from all other funds the amount of money appropriated each year by the General Assembly for the purposes hereinbefore mentioned, and any diversion of the money thus appropriated to any other purpose than that prescribed in this Act shall be deemed a felony and punishable accordingly.

State Treas-  
urer to keep  
appropriation  
separate.

SEC. 7. That any person who shall be entitled under the provisions of this Act to a scholarship may, upon entering the said University, pay to the State Treasurer the sum of ten dollars; and upon such payment being made, a contract shall arise between the State on the one part and the person paying the said sum on the other part, whereby the State shall be bound to provide annually for four years for the support of the said scholar as herein provided, and the person holding said scholarship shall be bound to fill said scholarship, and faithfully to use and improve its advantages, and said contract shall at all times be enforceable by either party in the Courts of the State.

Persons enti-  
tled to scholar-  
ship may make  
contract with  
State.

SEC. 9. This Act shall take effect from and after its passage.

Approved February 20, 1874.

## AN ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS. NO. 463.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, charters for churches, cemeteries, fire, hook and ladder, and military companies, Free Masons, Odd Fellows and Knights of Pythias Lodges, charitable and religious institutions

Clerk of Court  
to grant certain  
charters.

A. D. 1874.

or societies, labor, agricultural, manufacturing, industrial or other like societies and companies, shall be granted by the Clerk of the Court of the County wherein they reside, or propose to carry on business, or hold property. Any persons desiring to obtain a charter,

Applications,  
how to be  
made.

as provided in this Act, shall make application for the same to the Clerk of the Court, and if within ten days fifty persons of the County who may be affected or interested by the granting of the same shall, in writing, object to the granting of such charter, the

When may be  
refused.

Clerk of the Court shall refuse to grant the same, provided he considers the objections sufficient grounds for refusal, until the matter shall have been submitted to the Judge of the Circuit, whose duty

Judge to give  
final decision.

it shall be to decide either for or against granting the charter, as shall in his judgment be deemed best, and to render such decision within ten days after the case shall have been submitted to him. If the Judge refuses to grant the charter, then the persons desiring such charter may apply to the General Assembly for the same. If no objection, in writing, be made, the Clerk of the Court shall grant such charter in the following manner: *Provided*, That thirty days'

Applications  
for charters to  
be published.

public notice be given by the parties applying for a charter under the provisions of this Act, by publishing notice of the same in one of the papers of the County where the same may be granted; and, hereafter, all associations or societies named in this Act shall, before applying to the General Assembly, give ninety days' public notice, in like manner, before their application can be introduced or considered.

No applica-  
tion to be in-  
troduced in  
General As-  
sembly without  
notice by pub-  
lication.

Class 1—La-  
bor, agricultu-  
ral associa-  
tions, &c.

SEC. 2. *Class I*—All labor, agricultural, manufacturing, industrial, mining, or companies or associations of like nature, shall be incorporated as follows: When a majority of the members of any such company or association shall petition to the Clerk of the Court of the County wherein such association or company may be located, asking for a charter, the Clerk of the Court shall grant and issue to such persons the charter asked for, if no objection be made, as provided for in Section 1 of this Act. The charter shall read as follows:

Form of char-  
ter.

"Know all men that, in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874, that, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 187\_\_\_\_, a majority of the members (or stockholders, as the case may be,) of the \_\_\_\_\_

, having, by petition, applied for a charter for the said \_\_\_\_\_; therefore, know all men by these

presents, that \_\_\_\_\_, citizens of the State of \_\_\_\_\_, together with such other persons as now are or may hereafter be associated with them, and



their successors, be, and they are hereby made and created, a body politic and corporate, under the name and style of the

A. D. 1871.

; and, by said name, they are hereby made capable in law to carry on and conduct the business of

, and to exercise all the powers suitable and proper for that purpose; and to hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, tenements, goods and chattels, of whatsoever kind, as may be deemed by them conducive to the objects and interests of said corporation. The said corporation, by its corporate name, may sue and be sued, plead and be impleaded, in any Court of this State; make and use a common seal, and alter the same at will and pleasure; make, alter and amend such by-laws and regulations as shall be deemed proper by them, not repugnant to the laws of the land.

The capital stock of said shall not at any time exceed the sum of dollars, nor be less than dollars;

the stock to be paid for either in money, real estate, leases or machinery; and said stock shall be divided into as many shares as said corporation may determine, and may be made assignable and negotiable under such rules as may be prescribed by the by-laws of the said corporation. The meetings of the stockholders may be regulated by the by-laws of the said corporation, with the power to elect such officers as may be deemed necessary for the purpose of conducting the business of the same."

SEC. 3. *Class II*—When ten or more members of any church shall petition to the Clerk of the Court of the County wherein such church may be located, or is to be erected, asking to be incorporated, the Clerk of the Court shall grant and issue the same in the following form:

Class 2—  
Churches.

"Know all men by these presents, that, in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, 1874, and on petition asking for a charter, that , and

Form of  
charter.

their associates and successors, members of the

church, are hereby constituted and declared a body politic and corporate, under the name and style of the

church, of County.

Said corporation shall have power to purchase and hold real estate or personal property not exceeding in value the sum of dollars, and to sell and convey or

dispose of the same in any manner whatsoever; and, by its corporate name, to sue and be sued in any of the Courts of the State, and to make such rules and by-laws, not repugnant to the laws of



A. D. 1874. the land, as may be deemed necessary; to make, use and keep a common seal, and the same at will to alter."

Class 3—  
Charitable and  
religious insti-  
tutions.

SEC. 4. *Class III*—Charitable and religious institutions and societies, and all other societies of a like nature, including Free Masons, Odd Fellows and Knights of Pythias Lodges, and temperance societies and social and debating clubs, shall be incorporated, when a majority of the officers and members of the same shall petition the Clerk of the Court, asking for such charter, in the following form:

Form of  
charter.

"This is to certify that, on petition of a majority of the officers and members of association, (or lodge, or society, as the case may be,) praying for a charter in pursuance of an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874; therefore, know all men by these presents,

and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the

, of the County of

State of South Carolina, and by their corporate name may sue and be sued, plead and be impleaded, in any Courts of this State; to have, use and keep a common seal, and the same at will to alter; to contract and be contracted with, buy, sell, acquire, hold and enjoy so much real estate as may be necessary for furnishing offices and for carrying on the business of the same, with power to lease, rent or convey the same, subject to such rules and by-laws of the society (or association); may, also, adopt such by-laws and regulations as may be deemed proper, the same not repugnant to the laws of the land; and shall have power to receive any gift, grant, contract, devise or other donation, either by will, subscription or otherwise, of real estate or personal property, and may sell the same, provided the amount received from such sale be reinvested in securities for the benefit of the society."

Class 4—  
Military and  
fire companies.

SEC. 5. *Class IV*—Military organizations, fire, hook and ladder companies, shall be incorporated when a majority of the members shall petition the Clerk of the Court for such charter; a charter shall be issued by the said Clerk in the following form:

Form of  
charter.

"Know all men, that, in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874, that, on petition of

, that the

and the several persons who now

are or may hereafter become members of the

and their associates and successors in office, be, and they are hereby

declared to be, a body politic and corporate, under the name and style of the \_\_\_\_\_ of \_\_\_\_\_ County, and that the said corporation may, by its corporate name, sue and be sued, plead and be impleaded, in any of the Courts of this State, and shall be liable and empowered to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatsoever kind or nature which shall be purchased, bequeathed or in any manner acquired by them, and the same, or any part thereof, may alien, sell or convey at their will and pleasure: *Provided, however,* That the property so held shall not at any one time exceed the sum of twenty thousand dollars; and the said corporation shall have power to make, keep and use a common seal, and the same at will to alter; and shall have all the rights and privileges that now are or may hereafter be given by law to corporations of like nature in this State."

A. D. 1874.

SEC. 6. Universities, academies and other institutions of learning may be incorporated by petition to the Clerk of the Court of the County wherein the same may be situated, signed by a majority of the Trustees or Board of control of the same, and the said Clerk shall issue and grant the following charter:

"Know all men by these presents, That, on petition of \_\_\_\_\_, in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874, that

Form of charter for universities, academies, &c.

\_\_\_\_\_ and the several persons who now are or may hereafter become Trustees of the \_\_\_\_\_ and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Trustees of the \_\_\_\_\_ of \_\_\_\_\_ County, for the purpose of organizing, governing and conducting a \_\_\_\_\_ in the County of \_\_\_\_\_ in the State of South Carolina. Said corporation may, by their corporate name, sue and be sued, plead and be impleaded, use and keep a common seal, and make such rules and by-laws as they may deem necessary and proper for the regulation, government and conduct of said

\_\_\_\_\_ : *Provided,* Such by-laws and rules are not repugnant to the laws of the land. The said Trustees may appoint such officers as they may think necessary and proper for the organization and government of their own body. And should any vacancy occur in the Board of Trustees, by death, resignation or otherwise, the said Board shall have power to fill said vacancy. The said Board of Trustees and their successors shall

A. D. 1874. have and hold all the estate, property and funds now belonging to said \_\_\_\_\_ and all property, funds, money, donations, legacies and devises which may hereafter be granted, conveyed, bequeathed, devised or given to said \_\_\_\_\_, in trust, nevertheless, for the use and benefit of said \_\_\_\_\_. The President shall have power and authority to confer and award such distinction, honors, licenses and degrees as are usually conferred by similar \_\_\_\_\_ of the United States."

Charters for jockey clubs, &c.

SEC. 7. Jockey, yacht, sporting, shooting, game or other clubs of similar nature may be incorporated as is provided for military organizations by this Act, the amount of property not to exceed the sum of fifty thousand dollars. The corporators shall be made jointly and separately liable for all debts incurred by such corporation or agencies of the same.

Secretary of State to furnish blanks.

SEC. 8. That for the purpose of carrying out the provisions of this Act, the Secretary of State shall furnish blanks to the Clerks of Court in the various Counties, the blanks to be printed in accordance with the provisions of this Act, and setting forth the privileges granted such corporations, leaving sufficient space on the same to insert names, places, capital stock and name of corporation. Said blanks shall be of good paper, and not less than eighteen inches long by fourteen inches wide.

What to contain.

Clerk of Court to make out charter and file duplicate in his office.

SEC. 9. When any person shall apply for a charter, as provided for by the provisions of this Act, the Clerk of the Court shall cause the same to be filled out, signed by him, and sealed with the seal of the Court: *Provided*, No objections are made, as specified in Section 1 of this Act. Said Clerk shall also make a duplicate of the said charter and file the same in his office. The Clerk shall receive a fee of three dollars for each and every charter so granted, to be paid by the corporators, except for churches, the fee for which shall be one dollar; and in case any charter be granted by the General Assembly, the incorporators shall pay five dollars to the Secretary of State for each and every certificate of incorporation signed and sealed by him. All companies, societies or associations that are now incorporated shall be entitled to be rechartered under the provisions of this Act.

Fees for granting charters.

Approved February 20, 1874.

# No. 464. AN ACT TO CHARTER THE AMERICAN EXCHANGE AND SAVINGS BANK OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in



General Assembly, and by the authority of the same, That the American Exchange and Savings Bank of Charleston, S. C., is hereby incorporated, to be located at Charleston and have its principal office there; said corporation shall be organized and possess such powers and privileges as hereinafter mentioned, viz.: That the said corporation shall have succession, and shall be, and is hereby, made capable in law to purchase, have, enjoy and retain, to it and its successors, lands, tenements, rents, goods, chattels and effects, of whatever kind, nature or quality soever, and the same to sell, alien or dispose of as may seem to them discreet and proper; to sue and be sued, to defend and be defended, in any Court or place whatsoever; to make, have and use a common seal, which they may alter or renew at pleasure, and also to provide and put in execution such by-laws and regulations as they may deem requisite for the well-ordering and prosperity of the said corporation.

A. D. 1874.

American  
Exchange and  
Savings Bank  
incorporated.  
Where located.

General pow-  
ers.

SEC. 2. The capital stock of this corporation or company shall be \$20,000, in shares of \$50 each, but which stock may be increased from time to time to \$500,000, in such manner as the Board of Directors may provide, or as the by-laws shall ordain.

Capital stock.

SEC. 3. The company is hereby authorized to do a general banking business, and to this end is empowered to invest its capital or other funds in bank or other stock, or bonds, &c., of the United States, or in bonds of the respective States, or in such other securities as it may deem prudent, to loan money on real or personal security, to discount and deal in notes, bonds, bills of exchange or other evidences of debt, and upon such terms as the Board of Directors may establish, or as may be agreed upon between the parties.

May conduct  
general bank-  
ing business.

SEC. 4. The company is hereby authorized to receive moneys in trust or on deposit, for loan, investment, &c., and may allow such interest therefor, and payable in dividends or other forms of disbursement, and at such times as may be agreed upon or as the by-laws shall prescribe. The company is also authorized to accept and execute all such trusts, of every description, as may be committed to it by any person or persons whomsoever, or by any corporation, or that may be confided to it by order of any Court. And it is furthermore authorized to take and accept, by grant, assignment, transfer, devise or bequest, and hold any real or personal estate in trust, created in accordance with the laws of this State, and may execute such legal trusts on terms that may be established and that may be agreed upon by the parties.

May receive  
deposits and  
invest the  
same.

May accept  
and execute  
trusts.

May hold and  
dispose of trust  
estates.

SEC. 5. The corporate powers of this company shall be vested in a Board of seven Directors, who shall be elected by the subscribers to

Board of  
Directors—  
powers and  
duties.



A. D. 1874. the capital stock from their own number, as prescribed in Article X, and annually thereafter, which Board shall appoint one of its own number President, and may fill temporary vacancies in their own body. The Board shall also appoint necessary sub-officers and agents to serve during its pleasure, and shall prescribe their duties and compensation, and shall require such bonds and securities as they may deem proper.

SEC. 6. Each subscriber to stock in the company shall, at such time as may be designated by the Board of Directors after its organization, pay ten dollars per share upon the stock standing in his or her name; and on the first Monday of each calendar month thereafter shall also pay such sum as the Board of Directors shall determine, not to exceed five dollars per share upon the stock, until the par value of fifty dollars per share shall have been paid in.

SEC. 7. If an installment called for by the Board shall not be paid within ten days of the time designated, the stock of the delinquent may, at the discretion of the Board, be sold at public auction, and the proceeds thereof shall be paid to said delinquent after deducting therefrom all expenses accruing from the sale, and after the *pro rata* amount of the current expenses of the company and the *pro rata* amount of its losses shall have been ascertained and paid: *Provided*, That parties whose subscription shall have reached the value of one or more shares may be allowed the privilege of having certificates of stock issued for the amounts so paid in, and the surplus, if any, refunded.

SEC. 8. When fifty dollars, or the par value of stock, shall have been reached by payment of installments, or otherwise, scrip or certificates of stock shall be issued to the stockholders for the number of shares standing in their names respectively, signed by the President and Cashier, and bearing the seal of the company.

SEC. 9. The company is authorized to establish branch offices at such points in this State as it may determine, in which event the transactions conducted thereat shall be regarded as a part of the general business of the company, and shall be reported to the office at Charleston as often as the Board may require.

SEC. 10. That Albert O. Jones and Josephus Woodruff are appointed Commissioners, who, by themselves, or by an agent appointed by them in writing, are authorized to receive subscriptions to the capital stock of this corporation; and when a majority of the shares shall have been taken, the said Commissioners shall, at the earliest time advisable after the ratification of this Act, appoint a day of meeting in the city of Charleston for the purpose of organizing the company, of which due notice shall be given to the subscribers by said Commissioners at least five days prior to the day of meeting.

At said meeting, or at some adjournment thereof called for the purpose of organization, the organization shall be effected substantially as follows, viz.: 1st. By the adoption of a resolution accepting this charter. 2d. By adopting by-laws for the government of the officers, &c., of the corporation, and by electing a Board of Directors. Should any irregularities occur in effecting said organization the stockholders may correct the same at any meeting called for the purpose, due notice as above to be given of the same.

A. D. 1871.

Organization—  
how effected.

SEC. 11. That the stockholders in this body shall be liable to the amount of their respective shares of stock for the debts and liabilities of said corporation.

Liability of  
stockholders.

SEC. 12. This Act shall be deemed a public Act, and shall take effect and be of full force immediately after its passage, and shall continue in force thirty years.

Approved February 20, 1874.

AN ACT TO PROVIDE FOR THE PAYMENT OF PAST DUE SCHOOL No. 465.  
CLAIMS IN THE SEVERAL COUNTIES OF THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioners of the several Counties of this State shall proceed forthwith, upon the passage of this Act, to report to the County Treasurers of their respective Counties the number and amount of past due school claims up to the first day of November, 1873, remaining unpaid in their respective Counties: *Provided*, That all school claims issued prior to the first day of November, 1872, shall be first paid, as prescribed in this Act.

School Commissioners to notify County Treasurers of amount of outstanding past due school claims, to November, 1873.

School claims issued prior to November, 1872, to be first paid.

SEC. 2. The County Treasurers of the several Counties of the State, upon receiving such reports, shall devote the poll tax collected in their respective Counties to the payment of the claims so reported, and also whatever surplus may remain of the fund raised for the support of the widows and orphans of those killed on account of their political opinion in those Counties where such levy has been made; and should the amount of poll tax collected in any County in the first year after the passage of this Act be insufficient to pay the whole of said claims, then the County Treasurer of such County shall pay out the same *pro rata*, and continue the same from year to year until the whole amount of such claims shall have been paid, endorsing each partial payment on each claim, and the party receiving such partial payment shall receipt to such Treasurer for

County Treasurer to pay said claims *pro rata* out of poll tax, etc., each year, until paid in full.

Partial payments to be endorsed on claims, and receipt therefor taken.

A. D. 1874. each partial payment, the said receipt to be kept and filed by such Treasurer as his voucher.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 3, 1874.

NO. 466. AN ACT TO INCORPORATE THE PEOPLE'S BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles Corporators. P. Aimar, Richard E. Jacques, Josephus Woodruff, Moses Israel, Alexander Melchers, George S. Buist, Julius L. Moses, J. U. Thule, C. E. Jackson, W. H. Jones and B. Hunter, together with such other persons who now are or hereafter may be associated with them, be, and they are hereby declared, a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style Corporate name. Capital stock. of the People's Building and Loan Association, the capital stock of which shall consist of two thousand shares, to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments according to such regulations as may be prescribed by the by-laws of said corporation.

SEC. 2. That the said corporation shall have power and authority General powers. to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from May hold and convey real estate. time to time, to its members, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real es-



tate held by said corporation shall not any time exceed the value of (\$200,000) two hundred thousand dollars. A. D. 1874.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them, in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same, to its members and stockholders, as they, from time to time, may deem expedient. Investment of funds.

SEC. 5 That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled-for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation. When may loan out moneys on hand.

SEC. 6. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of (\$200) two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same: *Provided*, That said corporation shall have all the rights, and be subject to all the liabilities, provided in the Act to regulate the formation of corporations, passed December 10, 1870. Division and distribution of assets.

Approved March 3, 1874.

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AN ACT TO AUTHORIZE AND EMPOWER F. D. GREEN TO ERECT AND MAINTAIN GATES ACROSS CERTAIN ROADS IN LANCASTER COUNTY. No. 467.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That F. D. Green be, and he is hereby, authorized and empowered to erect and maintain gates F. D. Green to erect gates across Dry Creek and Liberty Hill Roads.



A. D. 1874. across certain roads in Lancaster County known as the Dry Creek and Liberty Hill roads: *Provided*, That said gates shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

Approved March 3, 1874.

NO. 468. AN ACT TO INCORPORATE THE RISING SONS OF BENEVOLENCE,  
OF EDGEFIELD COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That N. P. Butler, Henry Smith, Sr., Walter Guignyard, Henry Rayford, Jr., Isom Rayford, William Rayford, H. H. Bonier, Henry Rayford, Sr., M. H. Harrison, Seymour Butler, Alec Rayford and Mingo Peterson, by the name and style of the Rising Sons of Benevolence, of Edgefield County, and their successors and associates, be, and they are respectively, incorporated and made and declared a body politic and corporate, in deed and in law, and as such body politic shall have a common seal, and the same at will to alter; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws; to sue and be sued in every Court of this State, and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate: *Provided always, nevertheless*, That the capital stock of said company shall not exceed the sum of twenty-five thousand (25,000) dollars.

SEC. 2. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.

NO. 469. AN ACT TO ADMIT EDWARD R. MURRAY, A MINOR, OF ANDERSON COUNTY, TO PRACTICE LAW IN THE COURTS OF THIS STATE.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward B. Murray, a resident of Anderson County, under the age of twenty-one years, having been examined according to the rules of Court, and adjudged to possess the legal and moral qualifications requisite to practice

Edward B. Murray admitted to practice law.

law, be, and he is hereby, admitted to all the privileges granted by Section 2 (page 502) of the Revised Statutes of South Carolina to persons applying for permission to practice as attorneys at law. A. D. 1874.

Approved March 3, 1874.

AN ACT TO REPEAL AN ACT TO PROVIDE FOR THE ISSUE OF BILLS RECEIVABLE IN PAYMENT OF INDEBTEDNESS TO THE STATE TO THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS. No. 470.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the issue of bills receivable in payment of indebtedness to the State to the amount of five hundred thousand dollars," approved December 21, 1865, be, and the same is hereby, repealed. Authority to issue bills receivable revoked.

Approved March 3, 1874.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO VEST IN ISAAC G. LONG THE CHARTER OF A WATER COURSE THROUGH KINGSTON LAKE AND MAPLE SWAMP, IN HORRY COUNTY." No. 471.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to vest in Isaac G. Long the charter of a water course through Kingston Lake and Maple Swamp, in Horry County," approved March 26, 1869, be, and the same is hereby, repealed. Act vesting in Isaac G. Long charter of a certain water course repealed.

Approved March 3, 1874.

AN ACT TO AUTHORIZE AND EMPOWER CERTAIN COUNTIES TO ISSUE BONDS IN SUBSCRIPTION FOR PREFERRED STOCK OF THE LITTLE RIVER AND CHERAW RAILROAD COMPANY. No. 472.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties of this State through which the Little River and Cheraw Railroad Company are authorized to construct a railroad, or any Certain Counties may issue bonds for preferred stock of Little River and Cheraw Railroad Company.

A. D. 1874. branch thereof, be, and are hereby, authorized and empowered to issue bonds in subscription for preferred stock of the said company, subject to the conditions and provisions hereinafter mentioned.

County Commissioners to order election to decide upon such issue.

SEC. 2. The Board of County Commissioners of each of the said Counties shall, within sixty days after receiving a written request to that effect from the proper officers of the said company, endorsed or approved by at least one hundred legal voters of the County, order and provide for the holding of an election, by the legal voters of the County, to decide whether such subscription shall be made; the amount of such subscription not to exceed five per cent. on the assessed value of the real and personal property in the County, and to be made in bonds of the County, bearing interest at the rate of six per cent. per annum, and payable in thirty years after date.

Amount of subscription limited.

Manner of voting.

The voting shall be by ballot, which shall be either written or printed, or partly written and partly printed, and shall contain either the words "subscription for preferred stock of the Little River and Cheraw Railroad Company—Yes," or the words "subscription for preferred stock of the Little River and Cheraw Railroad Company—No." The election shall be conducted, and the Managers shall make the returns, in the same manner as is now provided by law for general elections. The Commissioners of Election shall, within ten days after the time of holding the same, forward to the Board of County Commissioners a return setting forth the entire number of votes cast thereat, and also the number of votes cast, respectively, for and against making such subscription.

Returns of election.

If a majority vote in favor, bonds to be issued.

SEC. 3. If a majority of the entire number of votes cast at the election shall be in favor of making such subscription the Board of County Commissioners shall immediately cause such bonds to be printed or engraved, and sign the same, and, also, have the same countersigned by their Clerk and sealed with their seal; the said bonds shall then be numbered and registered in the office of the Clerk of the County.

Registry of bonds.

Railroad company to give bond to secure payment of interest.

SEC. 4. When the said company shall actually commence the construction of a railroad within the County, and shall deposit with the County Treasurer of the County a bond of the said company, executed in such a form as shall be approved by the Judge of the Circuit, in a sum sufficient to secure the payment of the interest on the said bonds until the said railroad shall be completed in the County, the Board of County Commissioners shall deliver the said bonds to the said company and publish the fact of such delivery in the official paper of the County. On the completion of the said railroad in the County the Board of County Commissioners shall receive from the said company an amount of pre-

When bonds may be delivered in exchange for preferred stock.

ferred stock of the said company equal to the amount of the said bonds, which preferred stock shall bear interest at the rate of seven per cent. per annum.

A. D. 1874.

SEC. 5. The Board of County Commissioners shall invest the additional one per cent. received from the said preferred stock in securities whereby the same shall draw interest semi-annually; and shall also invest the interest received for the same until an amount shall have accumulated therefrom sufficient to pay the said bonds, when the said bonds shall be paid and canceled.

Investment  
of additional  
one per cent.

SEC. 6. All moneys received as interest on the said preferred stock shall be held by the County Treasurer and paid out on the order of the Board of County Commissioners.

Treasurer to  
hold interest  
subject to or-  
der of County  
Commissioners

Approved March 3, 1874.

# AN ACT TO INCORPORATE THE PEOPLE'S ACCOMMODATION RAILROAD COMPANY.

No. 473.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That O. H. P. Fant, R. F. Divver, James J. Gilmer, F. E. Harrison, W. R. Boyles, G. W. Maret, D. Biemann, J. P. Micker, C. E. Watson, C. Jones, Abel Robins, J. W. Shelor, J. P. Reid, S. M. Pegg, Samuel Johnson, Henry Kennedy, S. McCully, B. F. Whitner, B. F. Weims, John R. Cochran, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the People's Accommodation Railroad Company.

Corporators.

Corpora to  
name.

SEC. 2. That the said company shall have power and authority to build and construct a railroad from a point at or near the confluence of the Tugalo and Seneca Rivers, in South Carolina, to the town of Walhalla, and also to the town of Anderson, by the most direct and practicable route to each of said towns; to acquire, by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate. It shall also have all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.

Line of road.

General  
powers.

SEC. 3. That the said corporators shall be *ex officio* Directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.

Directors.



A. D. 1874.

Subscription  
to capital stock

SEC. 4. That for the purpose of creating the capital stock of said company, which shall not exceed two millions of dollars, the said corporators, or a majority of them, are hereby authorized and empowered, so soon after the passage of this Act as may be deemed advisable, to appoint Commissioners to open books of subscription, at such times and places and under such rules and regulations as may be prescribed; the capital stock of said company to be divided into shares of one hundred dollars each, and the subscription thereto to be received payable in money, land, labor or material necessary in the construction or equipment of said railroad, bonds, stock or other valuable credits, in such manner and upon such terms as may be agreed between the said company and such subscribers.

Subscriptions  
—in what pay-  
able.May unite or  
consolidate  
with other  
roads.

SEC. 5. That the said company shall have full power and authority to connect with or cross all other railroads on its proposed line; and, also, to unite or consolidate with other railroads, either in or out of the State, in such manner and upon such terms as may be agreed between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

Counties in-  
terested may  
subscribe to  
capital stock.

SEC. 6. That any County or town interested in the construction of the People's Accommodation Railroad be, and is hereby, authorized and empowered to subscribe to the capital stock of said company, or of any company with which it may unite or consolidate; said subscription to be made in bonds of such County or town and to be payable in such manner as the people or proper authorities of such County or town, under the provisions of this Act, shall deem best, determine and authorize: *Provided*, Said subscription shall not exceed five per cent. of the assessed value of the real and personal property in such County or town: *Provided, further*, That no subscription shall be made unless a majority of the qualified voters of such County or town, after due advertisement of the amount to be subscribed and the manner of its payment, shall, at an election held for the purpose, cast their votes in favor of said subscription.

Amount  
thereof limitedMajority of  
qualified voters  
to vote in favor  
of subscriptionCounty Com-  
missioners to  
order election.Election—  
how conducted

Returns.

For this purpose the County Commissioners are hereby authorized and empowered, on the written petition of twenty legal voters of such County or town, to provide for the holding of such election. The election shall be conducted in the same manner as is now provided by law for general elections; and the Commissioners of Election, within ten days after the time of holding the same, shall forward to the Board of County Commissioners a certified return, setting forth the entire number of votes cast thereat, and also the number of votes cast respectively for and against making such subscription.

SEC. 7. If a majority of the entire number of votes cast at the

election shall be in favor of making such subscription the Board of County Commissioners shall immediately cause such bonds to be printed or engraved, and sign the same, and also have the same countersigned by their clerk and sealed with their seal. The said bonds shall be numbered and delivered to the said company on receipt of an amount of stock of the said company equal to the amount of the said bonds.

A. D. 1874.

County Commissioners to have bonds prepared.

SEC. 8. This Act shall be deemed a public Act and continue in force ninety-nine years.

Approved March 3, 1874.

## AN ACT TO DIVIDE THE STATE INTO FIVE CONGRESSIONAL DISTRICTS. No. 474.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina shall be, and the same is hereby, divided into five Congressional Districts, as follows, to wit: The First Congressional District to be composed of the Counties of Georgetown, Williamsburg, Darlington, Marlboro, Marion, Horry, Chesterfield and Sumter. The Second Congressional District to be composed of the Counties of Charleston, Orangeburg, Clarendon and Lexington. The Third Congressional District to be composed of the Counties of Richland, Newberry, Abbeville, Laurens, Anderson, Oconee and Pickens. The Fourth Congressional District to be composed of the Counties of Greenville, Spartanburg, Union, York, Chester, Fairfield, Kershaw and Lancaster. The Fifth Congressional District to be composed of the Counties of Colleton, Beaufort, Barnwell, Edgefield and Aiken.

Counties composing First Congressional District.

Second Congressional District.

Third Congressional District.

Fourth Congressional District.

Fifth Congressional District.

SEC. 2. That until the next apportionment be made by the Congress of the United States, each of the said Congressional Districts shall be entitled to elect one member to represent this State in the Congress of the United States. After such new apportionment by Congress, the General Assembly shall divide the State into as many Congressional Districts as it is entitled to members in the House of Representatives of the United States.

Each District, until next apportionment, entitled to one member of Congress.

Approved March 3, 1874.

A. D. 1874. **AN ACT TO INCORPORATE THE UNION BRIGHT LIGHT SOCIETY,**  
 No. 475. **IN BEAUFORT COUNTY.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. W. Simmons, William Grant, Andrew Murray, Isaac Heyward, and their associates and successors, be, and they are hereby, declared a body corporate and politic, by the name and title of the "Union Bright Light Society," and that they have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, to have and use their own seal and to make their own by-laws, not inconsistent with the laws of the land, and with power to purchase and hold real and personal estate to the amount of ten thousand dollars.

**SEC. 2.** That this Act shall be deemed a public Act and continue in force for twenty-one years.

Approved March 3, 1874.

**No. 476. AN ACT TO CHARTER THE CHARLESTON WATER AND CANAL COMPANY, IN THE STATE OF SOUTH CAROLINA.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of introducing pure water in the city of Charleston, from the Edisto River, in a manner deemed most practicable of cutting a canal at or near Girham's Ferry to a point on the Ashley River at or near Cypress Plantation, and removing obstructions, deepening and straightening the latter, so as to render it navigable for the transportation of the products of the country, a charter, with the rights and privileges of the same, be, and is hereby, granted to the City Council of Charleston, their successors in office, under the name of the Charleston Water and Canal Company of South Carolina.

**SEC. 2.** The capital stock of said company shall be one million and five hundred thousand dollars, in shares of one hundred dollars each, with power to increase the capital one million dollars, should the wants of the company so require the same; and in order to raise the said capital stock, it shall be lawful for the said City Council of Charleston, or their successors in office, to negotiate with capitalists for such sum or sums of money as may be neces-



sary for carrying on and completing the public works aforesaid upon such terms as the majority of the corporation may deem advisable; or to open books of subscription in such places and at such times as may be deemed for the best interest of the corporation, or their assigns, the times and places for receiving such subscription to be determined by a majority of the corporators; and should a subscription be resorted to for raising the funds aforesaid, and when one million dollars shall have been subscribed, notice shall be given to the subscribers of the time and place of meeting for organization.

A. D. 1874.

Subscription  
to capital.

SEC. 3. That the City Council of Charleston, their successors in office, shall have all the rights and privileges incident to such corporate bodies; and shall be permitted to have, hold, purchase and possess lands, and make sale of the same, or any property acquired by them, and shall have authority to impose on barges, rafts, vessels, boats and floats such toll as may be deemed by them fair and proper for the use of said canal.

General  
powers.

SEC. 4. This corporation shall have water communication from the Edisto River, at Girham's Ferry, to the nearest convenient point on the Ashley River, or near the point thereon aforesaid, and from that point down the Ashley River, two hundred and fifty feet wide, on both sides of the river, one for the pipe track and one for the tow path, and may appropriate any land on this route necessary to promote the objects of this corporation in the transportation of water along the banks of the canal and a portion of the Ashley River and from thence to the city of Charleston, and to facilitate also the transportation of the products of the country, such as wood, phosphates, rice, cotton, lumber, &c., provided they shall pay a just and reasonable compensation for lands appropriated for said purposes, which, if not agreed upon between owners or legal representatives of the land and the said company, to be ascertained and determined in accordance with the provisions of an Act of the General Assembly entitled "An Act to declare the manner by which the lands or right of way over the lands of persons or corporations may be taken for the use of railroads or other internal improvements," ratified September 22, 1868.

Line of water  
communication.

Right of way.

SEC. 5. That the City Council of Charleston, or their successors in office, is hereby charged with the preservation of the canal aforesaid, and the banks of the Ashley River along which the water pipes may run, from injury or nuisance; with the execution of such measures as may be necessary to preserve and increase the quantity of water and keep it pure; with the management, preservation and repairs of the draws, gates, aqueducts, reservoirs, mains, pipes, pipe-yard and property of every description belonging to the water

Mayabate + 11  
nuisances.



A. D. 1874.

May construct, repair and cleanse sewers.

Responsibility of Council.

works; and the purchase and laying down of such mains as the City Council or the majority of them, their successors in office, may authorize; and also the construction, repairs and cleansing of all sewers and underground drains, and such new sewers as may be adapted for the sewerage of the city of Charleston. The said City Council or their successors in office shall be responsible for the supply and the order and security of all works from the Edisto River to the head of the canal and the Ashley River to the said city, inclusive; for the exactness and durability of the structures which may be erected and of the daily work to be performed, and for the sufficiency of the supply in the pipe-yard to meet every casualty; for the fidelity, care and attention of all persons employed by the department in making constructions and repairs.

Penalty for interfering with canal.

SEC. 6. If any person shall willfully do or cause to be done any act whereby any works, materials or property whatever which shall be erected or used within the city of Charleston or elsewhere by the said City Council of Charleston, their successors in office, or by any person or persons acting under their authority for the purpose of procuring or keeping the supply of water, shall in any manner be injured, or shall erect or place any nuisance on the banks of the said canal, shall throw anything into the aqueduct or any reservoir, or pipes, such person or persons, on conviction thereof, shall be deemed guilty of a misdemeanor.

May establish water rates

SEC. 7. The City Council of Charleston and their successors in office may, by ordinance, establish a scale of annual rates, to be called the "regular rates," and apportion to different classes of buildings in said city, in reference to their dimensions, value, exposure to fires, ordinary use for dwellings, stores, shops, private stables and other common purposes, number of families or occupants, or consumption of water, as near as may be practicable; and modify, alter, amend or increase such scale from time to time, and extend it to other descriptions of buildings and establishments. Such "regular rates," when so established, shall be collected from the owners of all such houses respectively which shall be situated upon any lots adjoining any street or avenue in said city in which the distributing water pipes may be laid and from which they can be supplied with water. Said "regular rates" shall become a charge and lien upon such houses and lots respectively as herein provided: *Provided*, Such owners shall subscribe to and become water consumers.

Extra rates.

SEC. 8. Hotels, factories, stables and other buildings and establishments which consume an extra quantity of water may, in addition to the regular rates, be charged with additional rates, to be called "extra rates."

SEC. 9. The regular annual rates which are not paid before the first of January in each year shall be subject to an additional charge of five per cent.; and those rates not paid before the first of April in each year shall be subject to an additional charge of ten per cent.

A. D. 1874.

Penalty for  
failing to pay  
said rates.

SEC. 10. The rules and restrictions for the use of water, printed on each permit, shall be notice to the water-takers, and shall authorize the execution and recovery, by process of law, of any penalties which the City Council and their successors in office may impose, in addition to cutting off the water, for any violation of rules.

Rules and  
restrictions,  
how enforce-  
able.

SEC. 11. For the collection of water-rents, to be imposed by virtue of this Act, it shall take effect on the first day of October in the year after that in which the said City Council of Charleston shall determine to carry its provisions into effect.

Act, when  
to take effect.

SEC. 12. That this Act shall be deemed a public Act, and as such shall be judicially noticed in all the Courts of this State.

Approved March 3, 1874.

AN ACT TO MAKE THE ROAD LEADING FROM THE MURRAY'S FERRY ROAD TO THE SANTEE ROAD, IN CLARENDON COUNTY, A PUBLIC HIGHWAY. No. 477.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the road recently laid out in Clarendon County, leading from a point near J. W. Hilton's plantation, on the Murray's Ferry Road, by Joseph Sprott's plantation, past Cypress Union Church, crossing Dean Swamp at the Colclough place, and Burch Branch at the old crossing, and intersecting the Santee Road near R. D. Thames' store, be, and the same is hereby, declared and made a public highway.


Road leading  
to Murray's  
Ferry Road a  
public highway

Approved March 3, 1874.

AN ACT TO DESIGNATE THE PLACES FOR THE COLLECTION OF THE TAXES IN YORK COUNTY. No. 478.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of the County of York, or his deputies, shall attend each of the following places in said County for at least two days in each fiscal

Places for the  
collection of  
taxes design-  
ated.

A. D. 1874.  year for the collection of taxes: Yorkville, Hickory Grove, Block Station, Beathsaney, Bethel, Clay Hill, Fort Mill, Cates' Tavern, Pride's Old Mill, McConnellsville and White's Store, and at Rock Hill four days, and at as many other places as the public good may require.

Approved March 3, 1874.

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No. 479. AN ACT TO INCORPORATE THE LADIES' BRANCH SOCIETY, OF ST. HELENA ISLAND, BEAUFORT COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. B. Colonel, Edward Small, Paris Brown, Samuel Middleton, Benjamin Scott, William Simmons, Bruce Colonel, Toney Danielass, York Polite, Rodwell Chisolm, and their associates and successors, be, and they are hereby, declared a body corporate and politic by the name and style of the Ladies' Branch Society, for the space of fourteen years, and that they shall have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, to have and to use their own seal, and to make their own by-laws, not inconsistent with the laws of the land, with power to purchase and hold real and personal estate to the amount of twenty thousand dollars.

Approved March 3, 1874.

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No. 480. AN ACT TO RENEW THE CHARTER OF THE CAROLINA MUTUAL INSURANCE COMPANY, OF CHARLESTON, S. C.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act of the General Assembly of this State entitled "An Act to incorporate the Carolina Mutual Insurance Company, of Charleston, S. C.," ratified the sixteenth day of December, in the year of our Lord 1852, be, and the same is hereby, renewed and extended for the term of twenty years from and after the ratification and approval of this Act.

Approved March 3, 1874.



AN ACT TO INCORPORATE THE BUTCHERS' MUTUAL AID AND  
PROTECTIVE ASSOCIATION.

A. D. 1874.

No. 481.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel R. Cox, Moses E. Brown, John A. Godfrey, Francis Perry, Richard Dickerson, Joseph Parker and Benjamin Jones, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Butchers' Mutual Aid and Protective Association, situated in the city of Charleston.

Corporators.

Corporate name.

SEC. 2. And said corporation shall have power to make such rules and by-laws, not repugnant to the laws of the land, as for the charity, maintenance, protection, order, good government and management thereof may be deemed necessary and expedient; and shall have succession of officers and members according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to purchase, have, hold, receive, enjoy, possess and retain to itself in perpetuity, or for any term of years, any lands for the purpose of interments, or other property of what nature soever, as may be given or bequeathed or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Powers and privileges.

May hold and convey real estate.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets or any property which it may acquire in such real and personal property, bonds, stocks, or in securities, in such sums and on such terms and conditions as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held or owned by said corporation shall not exceed forty thousand dollars, (\$40,000.)

May invest its moneys.

Value of property which it may hold limited.

SEC. 4. This Act to continue in force until repealed, and may be given in evidence without being specially pleaded.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE GLENN SPRINGS COMPANY.

No. 482.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. R. Fowler, George P. Copeland, C. M. Miller and W. D. Simpson, of South Carolina, and such other persons as now are or may here-

Corporators.



A. D. 1874.

Corporate  
name.Objects of  
corporation.Powers and  
privileges.

after be associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Glenn Springs Company," for the purpose of developing the mineral springs and water at the locality known as Glenn Springs, Spartanburg County, S. C., and to this end they are hereby made capable in law, in their corporate name, to have, hold, purchase, receive and sell all such property, real and personal, as, in their judgment, may be necessary, and to use such other agencies, not prohibited by law, as the company may deem necessary to carry out its objects.

SEC. 2. That said company may sue and be sued by its corporate name; make and use a common seal; establish, alter and amend such by-laws and regulations as it shall deem proper, not in conflict with the laws of this State.

Capital stock.

SEC. 3. The capital stock of said company shall be ten thousand dollars, with the right to increase the same to any sum not exceeding one hundred thousand dollars, and the stock may be paid in money or real estate, as the company may determine, the same to be divided into such number of shares as said company may determine.

Liabilities of  
stockholders.

SEC. 4. That all the property, real and personal, of said company shall be liable for its debts, and the private property of the stockholders shall also be liable for the debts of the said company to the amount of each stockholder's share therein.

SEC. 5. This Act shall continue of force for a period of thirty years from and after its passage.

Approved March 3, 1874.

#### NO. 483. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Williamsburg County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar for the fiscal year commencing November 1st, 1874, and continue the collection of the same each succeeding year until the sum of twenty-five thousand dollars (\$25,000) shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said County.

Annual tax  
of two mills to  
pay past in-  
debtedness.

SEC. 2. That all persons holding audited claims against said County be, and they are hereby, required to file a list of such audited claims, with the amount and date thereof, in the office of the County Treasurer, within ninety days from and after the passage of this Act: *Provided*, That due notice be given for thirty days in the usual manner of the opening of the books of registry by the said Treasurer.

A. D. 1874.

All audited claims to be registered with County Treasurer.

Notice of same to be given.

SEC. 3. That it shall be the duty of the Treasurer to pay said audited claims in order of their priority.

Claims payable in order of priority.

SEC. 4. That any officer authorized and empowered to carry out the provisions of this Act who shall fail in any respect in the performance of such duty shall be deemed to have committed a malfeasance in office, and, upon conviction, shall forfeit his office and be subject to a fine of not less than one hundred nor more than one thousand dollars, at the discretion of the Court.

Penalty for violation of this Act.

Approved March 3, 1874.

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AN ACT TO INCORPORATE THE RICHMOND GUARDS, OF COLUMBIA, No. 484.  
SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frank Allen and Henry Williams, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Richmond Guards, of Columbia, South Carolina, with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will, and with all other rights, privileges and immunities that are now secured by law to like incorporated bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act and shall remain in force until repealed.

Approved March 3, 1874.

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AN ACT TO INCORPORATE THE WEETEE RIFLE COMPANY, OF No. 485.  
WILLIAMSBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several persons who now are, or may hereafter be, officers and

Corporators.

A. D. 1874.

Corporate  
name.Powers and  
privileges.

members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Weetee Rifle Company, of Williamsburg County, and that they, the said corporation, may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered in law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatever kind or nature soever, and the same or any part thereof to sell, alien or convey at their will and pleasure: *Provided, however,* That the property so held shall not exceed the annual value of twenty thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary, and to make such rules and regulations for its government as are not inconsistent with law.

SEC. 2. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.

No. 486.

## AN ACT TO INCORPORATE THE PETTY RIFLE CLUB.

Corporators.

Corporate  
name.Powers and  
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward Petty, Prince Doctor, James Reese, Ned Wright, Albert Nickson, Charles Burkin, John Henry and J. Smith, and all persons who now are, or may hereafter become, members of the Petty Rifle Club, be, and they are hereby, constituted and declared a body politic by the name and style of the Petty Rifle Club.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members according to its by-laws, and shall have power to make all necessary by-laws, not repugnant to the laws of the land; to sue and be sued, implead and be impleaded, in any of the Courts of this State, and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise, bequest or in any other manner whatsoever, and the same or any part thereof to sell, alien, encumber, mortgage or convey at the will and pleasure of such corporation: *Provided,* That the amount of property, real and personal, so held shall not at any one time exceed the sum of twenty-five thousand dollars.

SEC. 3. That this Act shall continue in force for the space of fourteen years and until the meeting of the next General Assembly thereafter, and that the same be deemed a public Act and may be given in evidence without being specially pleaded. A. D. 1874.

Approved March 3, 1874.

AN ACT TO RENEW THE CHARTER OF SULLIVAN'S FERRY, IN No. 487.  
COLLETON COUNTY, S. C.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter granted to N. W. Beach for Sullivan's Ferry, in Colleton County, be, and the same is hereby, renewed to him, the said N. W. Beach: *Provided*, He, the said N. W. Beach, keep the road leading to said ferry for one mile each way in good traveling order. This renewal to remain in force for fourteen years after the passage of this Act. Charter vested in N. W. Beach renewed

Approved March 3, 1874.

AN ACT TO INCORPORATE THE ELLIOTT REPUBLICAN CLUB, OF No. 488.  
BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Boston Barker, Henry Barker, Silas Care, Thomas Gooze, and all other persons who now are or may hereafter be associated with them, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Elliott Republican Club, of Barnwell County." Corporators.  
  
Corporate name.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land, and shall have succession of officers and members, and to keep and use a common seal, the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State; to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or pur- Powers and privileges.



A. D. 1874. chased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Investment  
of assets.

SEC. 3. That said corporation may, from time to time, invest moneys, assets or any property which it may acquire in such real and personal property, bonds, stocks or in sureties, in such sums and on such terms and conditions as it may deem proper, under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed fifteen thousand dollars (\$15,000.)

SEC. 4. That this Act shall continue in force until repealed.

Approved March 3, 1874.

NO. 489. AN ACT TO INCORPORATE THE FARMERS' MUTUAL CLUB, OF  
EDGEFIELD COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Paul W. Jefferson, Jack Pickley, George Perrin, Sr., Jordan Hodges, George Frazier, Pleasant Mills, Archy Melton, Myer Melton, Ned Simpkins, Thomas Simpkins, Jr., Anthony Doggett, and their associates and successors, be, and they are hereby, incorporated and declared a body politic and corporate, under the name and style of the "Farmers' Mutual Club, of Edgefield."

Corporators.

Corporate  
name.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power to elect from among themselves such officers as they may deem expedient; and shall have power to make by-laws for its government not repugnant to the laws of the land; to use and keep a common seal, and the same at will to alter; to sue and be sued in any Court of this State; to have and enjoy every right and privilege incident to such corporations; and the said corporation is hereby empowered to acquire, retain and enjoy all such property, real and personal, not exceeding in value the sum of twenty-five thousand dollars, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE UNION REPUBLICAN WIDE  
AWAKE ASSOCIATION OF THE CITY OF CHARLESTON.

A. D. 1874.

No. 490.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Thompson, A. P. Ford, J. J. Grant, R. B. Artson, S. E. Gaillard, W. R. Jervey, Timothy Hurley, W. A. Grant, C. C. Bowen, R. W. Turner, Aaron Logan, C. J. Andell, J. F. Green and Louis Dunemann, and their successors and associates, be, and they are hereby, incorporated and made and declared a body politic and corporate, in deed and in law, under the name and style of the "Union Republican Wide Awake Association of the city of Charleston," and, as such body politic, shall have power to use and keep a common seal, and the same at will to alter; to make all necessary by-laws not repugnant to the laws of the land, and to have a succession of officers and members conformably to such by-laws; to sue and be sued in any Court of competent jurisdiction in this State, and to have, use and enjoy all other rights and be subject to all other liabilities incident to bodies corporate.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE TOWN OF GRAHAM, IN THE  
COUNTY OF WILLIAMSBURG.

No. 491.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all citizens of this State who may have resided in what has been known as the village of Graham's Cross Roads, in the County of Williamsburg, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

Corporate name.

SEC. 2. That the said persons, and their successors, shall be a body politic and corporate, which shall be known and called by the name of the town of Graham, and the corporate limits thereof shall extend one-half mile in each direction from the depot of the Northeastern Railroad in said town.

Corporate limits.

SEC. 3. That the said corporation shall enjoy all the powers and privileges conferred, and be liable to all the restrictions imposed, by an Act entitled "An Act to alter and amend an Act entitled 'An

Invested with powers and privileges conferred by charter of village of Kingstree.

A. D. 1874. Act to incorporate the village of Kingstree," approved March 20,  
 A. D. 1869.

Officers.

SEC. 4. The said town shall be governed by an Intendant and four Wardens, who shall, at the time of their election, be members of the said corporation, and shall be elected on the first Monday in April in each year, five days' public notice thereof being previously given; and all members of said corporation shall be entitled to vote at any and all elections for Intendant and Wardens of the town of Graham: *Provided*, That the first election to be held under this

Electors.

Election.

Managers  
 thereof.

Act shall be conducted by a Board of three Managers of Election, to consist of H. Lenud, A. L. Graham and James D. Singletary, who shall conduct the same, declare the result, giving notice in writing to the persons so elected as Intendant and Wardens.

SEC. 5. This Act shall be taken and deemed a public Act and shall remain in force until repealed.

Approved March 3, 1874.

#### No. 492. AN ACT TO INCORPORATE THE LONGSHOREMEN'S PROTECTIVE UNION ASSOCIATION OF PORT ROYAL.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That I. S. Grant, Kit Chisholm, Wm. Dennison, Henry Hamilton, Moses Green, Joseph Hayle, and such other persons as may now or hereafter shall be associated with them, are hereby made and declared a body politic and corporate, by the name and style of the Longshoremen's Protective Union Association of Port Royal.

Corporate  
 name.

Powers and  
 privileges.

SEC. 2. That the association aforesaid shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court in this State. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by it, and to sell, alien or transfer the same.

SEC. 3. That this Act shall be deemed a public Act and continue in force twenty years from the date of its ratification.

Approved March 3, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND  
AMEND AN ACT TO INCORPORATE THE VILLAGE OF KINGSTREE."  
A. D. 1871.  
No. 493.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to alter and amend an Act to incorporate the village of Kingstree," approved March 26, 1869, be, and the same is hereby, amended by striking out, in line 2, Section 9, the word "twenty," and insert the word "forty;" also, insert after the word "exhibition," on sixth line of same Section, the following words: "Billiard and bagatelle tables, ten-pin alleys, or any other alleys, and livery stables."

"Forty" inserted in lieu of "twenty."

License of billiard tables, etc., provided for.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE CHARLESTON MEMORIAL OF FREEDOM PUBLISHING COMPANY. No. 494.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. B. Hewitt, T. G. Lane, and such other persons as may or hereafter shall be associated with them, are hereby made and declared a body politic and corporate, by the name and style of the "Charleston Memorial of Freedom Publishing Company."

Corporators.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have and use one common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court of this State; it is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled, or which hereafter may be purchased or in any way acquired by it, and to sell, alien or to transfer the same.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act and continue in force for the term of five years.

Approved March 3, 1874.



A. D. 1874. **AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF  
GREENVILLE COUNTY TO SELL AND CONVEY CERTAIN PUBLIC  
PROPERTY IN THE CITY OF GREENVILLE.**  
No. 495.

County Com-  
missioners to  
sell old court  
house and  
grounds.

Condition of  
sale.

Proceeds of  
sale to be used  
to pay past in-  
debtedness.

Sale to be  
made at public  
outcry.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to sell and convey the public property in the city of Greenville known as the "Old Court House," and the ground upon which it stands, upon such terms as they think best for the public interest: *Provided*, They are able to realize a fair price for the same.

SEC. 2. In case of the sale of said property, it shall be the duty of the said County Commissioners to pay the same over to the County Treasurer, to be used for County purposes, and paid out, upon the warrants of the said County Commissioners, upon the past indebtedness of the County.

SEC. 3. That it shall be the duty of the County Commissioners to sell the said property at public outcry, after giving thirty days' public notice of sale.

Approved March 3, 1874.

No. 496. **AN ACT TO REQUIRE THE TREASURERS OF CERTAIN COUNTIES  
HEREIN NAMED ANNUALLY TO ATTEND AT CERTAIN PLACES  
IN SAID COUNTIES FOR THE COLLECTION OF TAXES.**

Places for  
collection of  
taxes designa-  
ted.

Lexington.

Union.

Greenville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of Lexington County annually attend two days at the following places, viz.: Lexington Court House, Spring Hill, Elford's and Count's Store, Leesville, J. Shuley's Mills, Howell's Mills, Dominick's Store, and Assman's Store, for the collection of taxes.

SEC. 2. That the Treasurer of Union County annually attend one day at the following places, after having given at least ten days' public notice, viz.: Draytonsville, Gowdeysville, Going's, Jonesville, Jasper Gibbs', Cross Keys, Goshen Hill, Fish Dam, Santuc, and balance of time for collection of taxes at Union Court House.

SEC. 3. That the Treasurer of Greenville County shall attend annually at the following places: Greenville Court House, Grove Station, McCullough's Store, Fairview, Batesville, Ware's Store, Chick Springs, Gowensville, Goodwin's Store, Dickey's Store, Al-

fred Hood's, Double Springs and Bethel, for the collection of taxes. A. D. 1874.

SEC. 4. That the Treasurer of Chesterfield County shall attend annually at the following places: At Chesterfield Court House, Cheraw, Cole Hill, Steer Pen Springs, Mount Croghan, Old Store, Jefferson and Alligator, for the collection of taxes. Chesterfield.

SEC. 5. That the Treasurer of Anderson County shall attend annually at the following places: Pendleton, Williamston, Belton, Honea Path, Craytonville, Millford's Store, Moffatsville, Holland's Store, Townville, Andersonville, Greenwood, Brushy Creek and Calhoun's, for the collection of taxes. Anderson.

SEC. 6. That the Treasurer of Oconee County shall attend annually at a point as near the center of each township of said County as practicable, (after fifteen days' advertisement,) for the collection of taxes. Oconee.

SEC. 7. That this Act take effect from and after its passage, and that all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved March 3, 1874.

AN ACT TO AMEND SECTIONS 23, 25, 27, OF CHAPTER XIX, OF No. 497.  
THE REVISED STATUTES OF THE STATE OF SOUTH CAROLINA.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter XIX of the Revised Statutes, Sections 23, 25, 27, be amended as follows: Strike out the word "September," wherever it may occur in said Section, and insert the word "November." "November" inserted in lieu of "September."

Approved March 3, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REVISE No. 498.  
AND AMEND AN ACT ENTITLED 'AN ACT TO REDUCE ALL ACTS  
AND PARTS OF ACTS TO DETERMINE AND PERPETUATE THE  
HOMESTEAD INTO ONE ACT AND TO AMEND THE SAME.'"

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act to revise and amend an Act entitled "An Act to reduce all Acts and parts of Acts to determine and perpetuate the homestead

A. D. 1874.

Separate  
property of  
married wo-  
men—when  
entitled to  
benefit of  
homestead.

Minor chil-  
dren of de-  
ceased mar-  
ried women—  
when entitled  
to homestead.

Aggregate of  
property ex-  
empt as home-  
stead limited.

into one Act and to amend the same," approved March 13, 1872, be amended by substituting in lieu of Section 12 the following:

"And in case any woman having a separate estate shall be married to the head of a family who has not, of his own, sufficient property to constitute a homestead as hereinabove provided, the said married woman shall be entitled to all of the provisions and benefits of this Act, so as to exempt all the property hereinabove allowed as a homestead exemption from attachment, levy and sale under any execution against her for debts of her own contracting; and in case of the death of any married woman entitled to homestead as above provided, the minor children of such woman shall be entitled to the right of homestead in the same manner and to the same extent as now provided by law for the minor children of any deceased head of a family: *Provided*, That nothing herein contained shall be construed so as to allow any one family a greater amount of property in the aggregate than is allowed in Sections 1 and 2 of the Act herein amended to the head of any family."

SEC. 2. That Section 12 of the Act herein amended be known and denominated as Section 13 of said Act.

Approved March 3, 1874.

# No. 499. AN ACT TO INCORPORATE THE TOWN OF BRUNSON, IN BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the citizens of this State who may be inhabitants of the town of Brunson, within the limits hereinafter prescribed, are hereby declared a body corporate. The limits of said town shall be held and deemed to be in the form of a circle, and a square upon that circle, with the sides of the square touching the circumference of said circle on the North, East, South and West; the said circle to describe a circumference of one-half mile in all directions from the central point of the intersection of the Port Royal Railroad and Monker street as the center of said town; and the streets within the limits of the said corporation to remain, in regard to number, location and extent, as now established by law, until altered by lawful authority.

SEC. 2. That said town shall be called Brunson, and be governed by an Intendant and four Wardens, to be called the Town Council of Brunson, and by that name have succession of members, keep a common seal, take and hold property, (necessary for corporate uses



only,) sue and be sued, implead and be impleaded, and enjoy every right incident to an incorporation.

A. D. 1874.

SEC. 3. That the said Intendant and Wardens shall be always persons who are constitutionally qualified to vote for members of the Legislature in this State, who actually reside within the limits aforesaid, and have so resided at least twelve months immediately preceding their election. Before entering upon the duties of their offices, they shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "I do solemnly swear (or affirm) that I am duly qualified, according to law, to exercise the duties of the office of Intendant (or Warden) of Brunson, and that I will equally and impartially discharge the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in September ensuing, and until their successors shall be elected and enter upon the discharge of their duties.

Qualification of officers.

Oath of office.

SEC. 4. That all male persons who are constitutionally qualified to vote for members of either branch of the State Legislature, and who have been permanent residents in the said town for sixty days immediately previous to the election in which they offer to cast their votes, (not, however, including transient boarders and lodgers,) accompanied with actual residence in the town (which, however, must be periodical, or intended to be so,) for at least three months previous to the election, shall be entitled to a vote for Intendant and Wardens of the said town.

Electors.

SEC. 5. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens, ten days' public notice being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act in his room during the time.

Vacancies.

SEC. 6. The election of the Intendant and Wardens of said town, after the first election under this charter, which first election shall be held on the second Monday in April, 1874, in like manner as is provided herein for all elections of Intendant and Wardens under this charter, shall be held at the Town Hall, or some other convenient public place in the said town, on the second Monday in September of each and every year, from ten o'clock A. M. until three P. M., when the polls shall be closed, and the Managers shall forthwith count the votes, proclaim the election, and give notice in writing to

Election.



A. D. 1874.

Managers—  
appointment  
and duties.

the persons elected. The Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election, and for any subsequent elections. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, it shall be the duty of the Clerk of the Court of Beaufort County to order such election forthwith and appoint three Managers for the same. The Managers shall, in each case, before they open the polls for such election, take an oath fairly and impartially to conduct the same; and the Managers of such election are hereby authorized and empowered to administer, if they see fit, an oath to any person offering to vote, and to make all other necessary inquiries, for the purpose of ascertaining whether such person or persons are qualified to vote under this law.

Judicial  
powers.

SEC. 7. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, within the limits of said town, be vested with all the powers and jurisdictions of Trial Justices of this State, except for the trial of civil causes. The Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business. The said Town Council shall have full power, under its corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, pavements, ways, markets, public buildings, weights, measures, wells, disorderly places, fire department, police, and in general every other by-law, as shall appear to them requisite for the security, welfare and convenience of said town, and for preserving health, peace, cleauliness, order and good government within the same, and to prevent the violation of its ordinances by imposing fines not to exceed fifty dollars, or imprisonment not exceeding forty-eight hours, for each offense: *Provided*, That no fine above the sum of twenty dollars shall be collected by the said Council except by a suit in a Court having jurisdiction: *And provided, also*, That no ordinance shall be repugnant to or inconsistent with the laws of the land; and all ordinances shall be at all times subject to a repeal by the Legislature.

Fines.

Marshals—  
appointment,  
powers and  
duties.

SEC. 8. The Intendant and Wardens shall also have power to elect or appoint a Marshal, and, if they see fit, a Deputy Marshal, upon such terms as they may deem proper, who shall be duly sworn by the Intendant, invested with all the powers Constables now have by law, and whose power and authority shall be confined within the limits of the said town, and whose duty shall be to collect all fines and forfeitures imposed by the Intendant and Wardens, and to enforce and carry into execution and effect the by-laws and ordinances of the said corporation, and who shall be

liable to be removed by the said Town Council; and the said Intendant and Wardens shall also have power to establish an ordinance, whenever they shall deem it expedient, to appoint and establish a police corps or night watch for the said town, the expense of the same to be provided for out of the revenue of the said corporation.

A. D. 1871.

SEC. 9. That the said Town Council shall have power to establish a guard house and to prescribe by ordinance suitable rules and regulations for keeping and governing the same; and the said Town Council may, by ordinance, or said Intendant and Wardens may, in person, any one or more of them, authorize and require any Marshal, Deputy Marshal or police officer, or any Constable specially appointed, to arrest and commit to said guard house, or other place of custody, to be designated by the Intendant and Wardens, for a term not exceeding forty-eight hours, any person or persons who may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the Town Marshal or other police officer to arrest and commit all such offenders, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of said Marshal or police officer in the performance of such duty as required, they shall, severally, be subject to such fines and penalties as Council may establish; and all persons lawfully imprisoned shall pay the costs and expenses incident to their imprisonment and be subject to such fines as Council may impose for the offense committed.

Guard house.

Power to arrest and commit to jail.

SEC. 10. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town.

Nuisances.

SEC. 11. That it shall be the duty of the said Council to keep all roads, ways and streets within the corporate limits open and in good repair, and for that purpose they are invested with the powers vested in County Commissioners; and they shall have full and exclusive power to order out all the hands now liable or hereafter made liable by the laws of this State, and to require them to work on the respective roads, ways and streets within the limits of the said corporation as many days in each year, and to inflict the same fines and penalties for the non-performance thereof, as is by law now inflicted by the different Boards of Commissioners in the respective Counties in this State; and for neglect of duty therein they shall be liable to the same penalties as are now imposed on County Commissioners: *Provided*, That it shall not be obligatory on the Town Council to open any street within the limits of the said town unless

Duties in respect to roads and streets.

A. D. 1874.

upon the petition of the person applying for the same, alleging that the said street is necessary for his use and accommodation and that there is no other direct or convenient access for him to the business part of the town, which petition shall be verified by the affidavit of the applicant and recommended by at least twelve of the taxable inhabitants of the said town.

SEC. 12. The said Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied to the use of said corporation. And the Intendant and Wardens are hereby individually exempted from the performance of road and police duty; and no person residing within the said town shall be liable to work on any road without the said limits or be taxed or assessed for the same.

Licenses.

SEC. 13. That the power to grant licenses for billiard tables, to keep taverns or retail spirituous liquors within the limits of the said incorporation, be, and the same is hereby, vested in the Town Council of Brunson, which licenses shall be granted in the same manner and upon the same conditions as they are now or may hereafter be under the laws of this State; and all moneys received for licenses, taxes, fines, exhibitions, etc., etc., within the said limits shall be appropriated to the public uses of said corporation.

Fines—how collected.

Sheriff to execute processes.

SEC. 14. That all fines and forfeitures imposed by said Town Council under the power vested by law shall be collected by *feri facias*. The Sheriff for the County of Beaufort for the time being and his lawful deputies be, and they are hereby, authorized to execute the process of the said Council of Brunson as by law the Marshal of said corporation might or should now do, having the same privileges, powers and emoluments and subject to the same duties and penalties as herein provided: *Provided*, That all *nulla bona* costs incident on any execution issuing from said Town Council and directed to the said Sheriff shall be paid by said Town Council.

Rate of annual taxation.

SEC. 15. That the said Town Council of Brunson shall have power to impose, for the uses of the said corporation, the following annual taxes: On all real estate within the said limits, except that held for religious or charitable purposes, a tax not exceeding one-quarter of one per cent.; on all sales of merchandise, and income arising from factorage, faculties and professions, except the salaries of clergymen of all religious denominations, a tax not exceeding one-eighth of one per cent.; on all wheel carriages kept for hire, a sum not exceeding five dollars each; on all itinerant traders, a tax not exceeding twenty-five dollars; also, to prescribe and fix the tax on all shows and exhibitions within the limits of said corporation. And the said Town Council shall have power to enforce the payment of all taxes



and assessments levied under authority of this Act against the property and persons of all defaulters to the same extent and in the same manner as is provided by law for the collection of the general State taxes, except that the executions may be directed either to the Sheriff or the Town Marshal, or other person especially appointed by Council to collect the same.

A. D. 1871.

SEC. 16. And the said Town Council shall be authorized to borrow money for educational and corporate uses only, and to assess each of the corporators in an amount not exceeding twelve per cent. on his corporation tax, to aid in the payment of the principal and interest of the said debt: *Provided*, That the funded debt of the town shall at no one time exceed the sum of three thousand dollars: *And provided, also*, That no loan shall be consummated without the previous concurrence of the voters of the said town, to be ascertained through the medium of the ballot box, after ten days' public notice, as is provided for in the case of election for Intendant and Wardens.

Authority to borrow money.

SEC. 17. And that this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE MUTUAL AID ASSOCIATION No. 500.  
SOCIETY, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James H. Brawley, H. Z. Burkmeier, Alexander Artopee, Abraham Jones, and their associates and successors, be, and they are hereby, incorporated and declared a body corporate by the name and style of the Mutual Aid Association Society, of Charleston, South Carolina; and by said name and style may sue and be sued in any Court in this State; and shall have succession of officers and members, and have a common seal.

Corporators.

Corporate name.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property not exceeding twenty-five thousand dollars in value, and to sell, convey or mortgage the same; and to make such rules and by-laws, not repugnant to law, as may be deemed necessary and expedient.

Powers and privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.



- A. D. 1874. **AN ACT TO AUTHORIZE AND EMPOWER AARON LOGAN, JOHN VANDERPOOL, B. D. HOLMES, EDWARD BENNETT, WARLEY VENNING, G. H. ALLEN AND K. B. SINGLETON TO ESTABLISH A WHARF AT CAINHOY, ON THE WANDO RIVER.**
- No. 501.

Authority to  
build wharf  
and collect  
wharfage at  
Cainhoi.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Aaron Logan, John Vanderpool, B. D. Holmes, Edward Bennett, Warley Venning, G. H. Allen and K. B. Singleton be, and they are hereby, authorized and empowered to build a wharf, and collect the usual rate of wharfage on the same, at Cainhoi, on the Wando River, and to extend the same as far toward the channel of said river as may be necessary for commercial business.

Charter—in  
whom vested.

SEC. 2. That the franchise herein granted be vested in the said Aaron Logan, John Vanderpool, B. D. Holmes, Edward Bennett, Warley Venning, G. H. Allen and K. B. Singleton, their heirs, executors, administrators and assigns, for the term of ninety-nine years.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 3, 1874.

- No. 502. **AN ACT TO INCORPORATE THE BRICK MASONS' AND PLASTERERS' LINK, OF RICHLAND COUNTY; S. C.**

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. J. Myers, Dedford Wells, Robert Martin, Richard Oglesby, Samuel Perrine, Levi Thompson, Anthony Williams, Henry Parker, John Pope, George Wallace, William Manigault, George Mitchell, Philip Dukes, Anthony Bryant, Jacob Kennedy, Henry Smith, W. D. Myers, Benjamin Reeves, Peter Williams, Lewis Reeves, Isaac Green, together with such other persons who now are or hereafter may be associated with them, be, and they are hereby, declared a body corporate, under the name and style of the Brick Masons' and Plasterers' Link, of Richland County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporate  
name.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name to sue and be sued in any

Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

A. D. 1874.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE PEOPLE'S BUILDING LOAN No. 503.  
ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. T. Oliver, S. Booker, F. H. Carmand, Daniel Webster, Samuel Bowles, N. A. Montgomery, Alfred Bernard, G. I. Cunningham, W. J. Brodie, R. B. Artson, A. Logan, C. C. Bowen, H. W. Thompson, W. A. Grant, R. W. Turner, James F. Green, and such other persons as they may associate with them, be, and they are hereby, declared a body corporate, by the name and style of the People's Building Loan Association, of Charleston, S. C., the capital stock whereof shall be one thousand shares of one hundred dollars each, with right to increase the same from time to time to four thousand shares, to be paid by successive monthly installments of one dollar on each share; but each stockholder shall have the privilege of paying, from time to time, in advance, the whole or any part of the installments on his shares, and to receive such semi-annual interest or dividends on the same as the rules and by-laws of the association may establish.

Corporators.

Corporate name.

Capital stock.

SEC. 2. The said corporation shall have power to make such rules and by-laws as are not repugnant to the Constitution and laws of this State; shall have such number and succession of officers as shall be established and chosen according to said rules; may make regulations for holding, assigning and pledging shares held therein, and establish fines and forfeitures for default of any payment due by a stockholder or breach of any of its rules; also to have and keep a common seal, to sue and be sued, and have and enjoy all other rights and privileges incident to corporate bodies, according to the laws of the land.

General powers.

SEC. 3. The funds of the said corporation may be loaned to its stockholders or others, secured by bond and mortgage of real estate and pledge of stock held in it, or may be used in purchase of real estate on such terms and under such conditions as may be established by its by-laws; and it shall be lawful for said corpora-

Investment of funds.

A. D. 1874.

May acquire  
and dispose of  
real estate.

Real estate  
mortgaged for  
advances not  
subject to ben-  
efits of home-  
stead.

tion to hold such lands, tenements, hereditaments and stock in said corporation as it may from time to time purchase, or as may be mortgaged or conveyed to it as security for loans, and may sell, alien and dispose of the same to its stockholders or others as it may from time to time determine; and all loans made by said corporation which shall be secured by mortgage of real estate shall be understood, held and construed to have been borrowed to pay obligations contracted for the purchase of the mortgaged premises, or for the erection of improvements thereon, and shall be superior to the right of homestead therein.

Dividends.

SEC. 4. The said corporation shall have the right, out of its profits, to declare and pay quarterly, semi-annual or annual dividends on the stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividend shall ever be paid so as to diminish its capital stock; and the stockholders of the said corporation shall be severally liable for its debts and obligations to an amount equal to the par value of the stock held by them respectively.

Liability of  
stockholders.

Division and  
distribution of  
assets.

SEC. 5. This Act is hereby declared a public Act and shall continue of force for the term of twenty years: *Provided, however,* That the stockholders shall have the right at any time to dissolve the said association, first paying all its debts and making final *pro rata* distribution amongst the members of its property and assets.

Approved March 3, 1874.

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No. 504. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 2, CHAPTER XXV, OF THE GENERAL STATUTES OF SOUTH CAROLINA," RELATING TO NUMBER OF TRIAL JUSTICES OF CERTAIN COUNTIES THEREIN NAMED.

Number of  
Trial Justices  
for Barnwell,  
ten  
Orangeburg,  
fifteen.  
Lexington,  
ten.  
Edgefield,  
fifteen.  
Beaufort,  
fifteen.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after "Barnwell" strike out the word "eight" and insert "ten;" and after "Orangeburg" strike out the word "ten" and insert "fifteen;" and after "Lexington" strike out the word "nine" and insert "ten;" after the word "Edgefield" strike out "twelve" and insert "fifteen;" after the word "Beaufort" strike out "ten" and insert "fifteen."

Approved March 3, 1874.

## AN ACT TO INCORPORATE THE CHARLESTON REPUBLICAN ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA.

A. D. 1874.

No. 505.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alonzo J. Ransier, Albert O. Jones, Timothy Hurley, Josephus Woodruff, Richard H. Cain, William Gurney, George I. Cunningham, William J. McKinlay, Robert B. Artson, William R. Jervev, Samuel A. Gaillard, James F. Green, Charles C. Puffer, their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "Charleston Republican Association, of Charleston, South Carolina," which corporation shall have succession of officers and a common seal.

Corporators.

Corporate name.

SEC. 2. That said corporation shall have power to purchase, receive and hold any real and personal estate, not exceeding in value one hundred thousand dollars, and to sell, convey and dispose of the same, and by its corporate name to sue and be sued in any of the Courts of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient for its government.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act and shall continue in force until repealed.

Approved March 3, 1874.

## AN ACT TO EMPOWER THE CITY COUNCIL OF CHARLESTON TO ELECT AN INSPECTOR GENERAL OF TIMBER AND LUMBER, AND FOR OTHER PURPOSES. No. 506.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Charleston be, and they are hereby, empowered to elect, immediately after the passage of this Act, an Inspector General of Timber and Lumber for the city of Charleston, who shall take the same oath now required by law from the present Timber and Lumber Inspectors and Measurers; and shall have supervision and control over said officers, and not to be interested, either directly or indirectly, in the purchase and sale of any timber and lumber. The Inspector General shall be elected regularly every two years, the first election under this Act to serve to the time of the next annual election, by the said City Council, of Timber and Lumber Inspectors and Measurers, and for two years thereafter.

Inspector General of Timber and Lumber—election, powers and duties.

Not to be interested in purchase or sale of timber and lumber. Election and term of office.



A. D. 1874.

City Council  
to enact laws  
for inspection,  
&c., of lumber.

To prescribe  
duties of In-  
spector Gen-  
eral.

To regulate  
his fees.

Fees of In-  
spector not to  
be additional  
charge to seller  
or purchaser.

SEC. 2. That for the purposes of inspecting and measuring all timber and lumber bought and sold within the limits of the city of Charleston, the City Council of the said city be, and they are hereby, empowered to enact the necessary laws for the inspection and measurement of the same, to prescribe the duties of the Inspector General and the Inspectors and Measurers, and to regulate the fees to be received by such officers for their services: *Provided*, That the fees to be received by the Inspector General of Timber and Lumber herein created for the city of Charleston shall in no way become an additional charge to the seller or purchaser of said timber and lumber for the inspection or measurement of the same.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 3, 1874.

NO. 507. AN ACT TO INCORPORATE THE STEVENS LIGHT INFANTRY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. D. Brown, W. A. King, P. Proctor, H. H. Brown, C. A. Nelson, and such other persons as they may associate with them, be, and they are hereby, declared a body corporate, under the name and style of the Stevens Light Infantry, and shall be endowed with all the powers and privileges incident to such corporations.

Corporators.

Corporate  
name.

Powers and  
privileges.

SEC. 2. That said corporation shall have the right to have, hold and enjoy real and personal property that may be acquired by purchase or otherwise, to an amount not exceeding twenty thousand dollars (\$20,000); they may have, keep and use a common seal, the same to be altered or amended at pleasure.

SEC. 3. This Act shall be deemed to be a public Act and shall continue in force for twenty (20) years.

Approved March 3, 1874.

NO. 508. AN ACT TO INCORPORATE THE TOGLIO FERRY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry be, and the same is hereby, established under the name and style of

Toglio Ferry  
Company char-  
tered.

the Toglio Ferry Company, commencing at a point in the city of Charleston, and touching at James Island, John's Island, Wadmalaw Island, Edisto Island, Toogoodoo, and at any other point on the main land that the said company may find important or necessary to their interest: *Provided*, That the said company shall not, in any manner, interfere with transportation by sail or row boats, steamers or flats, nor shall this charter in any way interfere with the ferry now established across the Stono River, and known as John's Island Ferry.

SEC. 2. And the said company is hereby made responsible for any damage arising from delays on the said route other than those by accident usually exempted in such cases; and their rates for freight shall not exceed the rates now charged by the present carriers on the route; and this charter shall not take effect until said company shall have filed a certified schedule of their freight charges in the office of the Clerk of the Court of Charleston County, which schedule may be lowered, but not so changed as to be higher than they are now.

SEC. 3. That for the purpose of the establishment of the said ferry company, a charter, with all the rights and privileges incidental to the same, be, and is hereby, granted to William R. Jerve, Edward Petty, Peter Bright, John Thorne, John B. Connor, James Hutchinson, Captain Peter Toglio, C. C. Bowen, C. J. Andell, Sherman Smalls, John Vanderpool, A. P. Ford, R. W. Turner, T. Hurley, R. B. Artson, R. Bryan, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Toglio Ferry Company aforesaid.

SEC. 4. That the said ferry company shall not be entitled to charge for more than one wharfage on freight carried either from Charleston to any other point, or from any point to Charleston, or between any two points on the route.

SEC. 5. The capital stock of said corporation shall be fifty thousand dollars, with the right to increase the same, by a vote of the majority of stockholders, to any sum not exceeding one hundred thousand dollars. That said corporation shall commence business within sixty days after their capital stock shall have been subscribed and certified to by the Secretary of State, for record in his office, under the oath of the President and Treasurer of the corporation.

SEC. 6. That all property, real and personal, of the said corporation shall be liable for the payment of their debts.

Approved March 3, 1874.

A. D. 1874.

Where may touch.

Not to interfere with transportation by sail or other boats, or with the John's Island Ferry Company.

Responsibility of company.

Rates of freight limited.

To file list of freight charges in Clerk's office.

Corporators.

Corporate name.

Wharfage.

Capital stock.

When to commence business.

Liability of corporation.

A. D. 1874. **AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN INSPECTOR OF TIMBER AND LUMBER FOR THE PORT AND HARBOR OF PORT ROYAL, AND TO DEFINE HIS POWERS AND DUTIES.**  
 No. 509.

Inspector of  
Timber and  
Lumber for  
town of Port  
Royal—a p-  
pointment of.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, an Inspector of Timber and Lumber for the port and harbor of Port Royal, who shall take an oath that he will not, during his term of office, be directly or indirectly interested in the ownership, purchase or sale of any timber or lumber brought to the port of Beaufort. The said Inspector of Timber and Lumber for the port and harbor of Port Royal shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of two years, and shall have authority and power to appoint such deputies as he may deem necessary and fit.

Office hours.

SEC. 2. The duties of the Inspector of Timber and Lumber so appointed shall be to keep an office in the town of Port Royal, which shall be open from eight o'clock A. M. to one o'clock P. M., and from two o'clock P. M. until five o'clock P. M. The Deputy Inspectors of Timber and Lumber appointed by him shall receive their orders from him and shall promptly obey the same. All timber and lumber arriving within the limits of the port of Beaufort shall be reported to him, he keeping a record of the number of rafts, the name of the owner of such rafts, by whom reported, and the time when reported; and it shall be his duty to assign one of his duly-appointed Deputy Inspectors to inspect and measure such raft. All timber and lumber arriving within the limits of the town of Beaufort, not in rafts, shall, before being offered for sale, be reported to the said Inspector of Timber and Lumber, and he shall at once assign some one of his duly-appointed deputies to inspect and measure the same, he keeping a record as before stated. He shall make out all survey bills, and sign the same officially, keeping in his office a copy of the same. He shall collect all bills for inspection and measurement, and be responsible to his subordinates for the same. Under no consideration shall the said Inspector, or any of his subordinates, be allowed any interest whatever in the ownership of any timber or lumber offered for sale in the port, unless by permission of the Town Council, to whom they must first apply.

All arrivals  
of timber and  
lumber to be  
reported to  
him.

Deputy In-  
spectors to  
measure the  
same.

Inspector and  
Deputies not to  
be interested  
in timber or  
lumber offered  
for sale.

May appoint  
Deputies.

SEC. 3. That the said Inspector of Timber and Lumber shall be, and he is hereby, on his own responsibility, authorized and empowered to appoint as many and such deputies as he may deem to be necessary and proper.



SEC. 4. That all square-hewn shipping timber must be measured at the middle of the stick. Mill timber must be measured at one-third from the top or small end, and marked when measured; and mill or round logs measured at the top or small end.

A. D. 1871.

Rules for  
measurement  
of timber.

SEC. 5. All defects in any timber, such as loose, hollow, rotten or other defective knots, red rot, rotten butts, cat faces, ring, wind or heart shakes, are to be marked on the margin of the survey bill as defects; and all defective timber shall be sold as such, and at such prices as may be agreed upon between the buyer and seller; and to ascertain if any timber is defective, the Inspector or his deputy shall cut from each raft one or more logs and examine the bottom of such log or logs, and, if found defective, then he shall proceed to examine each log in the same way.

Defective  
timber, how  
marked and  
sold.

SEC. 6. Sufficient allowance to square the stick must be made in the measurement of under-hewn square lumber.

Allowance—  
when and how  
made.

SEC. 7. In the measurement of timber and mill logs, the Inspector or his deputy must make allowance when the stick is crooked, so that in cutting up the miller can obtain the measurement it calls for.

SEC. 8. All sticks of timber shall be distinctly marked with the size and length and private mark of the Inspector or his deputy.

Private mark  
of Inspector.

SEC. 9. All rafts of timber must be classified number 1, 2, 3, and so marked on the Inspector's bill; all defective logs must be marked on each log or stick which is defective. No. 1, or shipping timber, must be well and smoothly hewn to square edge, and clear of wane, score bucks and injurious axe marks, square-butted, and not have more than one inch taper to every running twenty feet. No. 2, or mill timber, will comprise all square timber not coming up to the requirements of shipping timber, and in measurement throwing off the wane. No. 3, or mill logs, will be known as sound or scoffed logs, and in measurement must be squared from the smallest diameter of the log. The Inspector and his deputies shall invariably exclude pin holes in taking the length of timber or lumber.

Timber—how  
classified.

SEC. 10. The Inspector, or his deputy or deputies, shall be notified of the defective timber found in their measurement, not so marked, within thirty days from the day of sale.

To be notified  
of defective  
timber.

SEC. 11. In all cases of dispute as to measurement or inspection, that of the Inspector shall be final; and, when requested to do so, it shall be his duty to resurvey and inspect and measure any timber or lumber which may be the cause of dispute.

Decision of  
Inspector, in  
case of dispute,  
final.

SEC. 12. The Inspector shall be a competent surveyor, and shall give a bond of five thousand dollars, with two or more sureties, to be approved by the Board of County Commissioners.

Qualification  
and bond of  
Inspector.



A. D. 1874.

Fees.

SEC. 13. The fees for the inspection and measurement of all timber and lumber within the limits of the town of Beaufort shall be ten cents per thousand feet, board measure; five cents shall be paid to the Deputy Inspector, and the remaining five cents to be paid to the Inspector. In case of sickness or absence of the Inspector, the Inspector shall appoint one of his deputies to act as Inspector.

All lumber offered for sale must be marked.

Fees for same.

Classification of lumber.

SEC. 14. All lumber brought to the Beaufort market for sale shall first be marked by said Inspector or one of his deputies; and any one offering any such lumber for sale without its having been previously so marked and measured shall be subject to a fine hereinafter provided. If any such lumber be raft lumber, and is sold in raft or rafts or bulk, then the Inspector shall take the length and width and count the number of tiers, reducing depth to inches, in each raft, which raft shall be numbered and marked with the Inspector's or his deputy's own cipher or private mark, and for which he or his deputy shall be entitled to ten cents per thousand feet (board measure) net for all lumber so measured; and of said amount, if he be a deputy, he shall pay to the Inspector four cents for every thousand feet so measured. Of all lumber brought to the town of Beaufort for sale, otherwise than in raft or rafts, each piece shall be inspected and measured, and the contents marked on it, by either the Inspector or one of his duly-appointed deputies, whose duty it shall be to classify all such lumber, making two classes, merchantable and refuse, unless otherwise agreed upon between buyer and seller, viz.: 3 4, 4-4, 5 4, 6 4, 7-4 boards, showing 2 3 heart on heart side, clear of black sap, shakes, splits, red or rotten wood, worm holes, defective knots and wane edges, shall be classed as merchantable, and all below this standard shall be classified as refuse. It shall be the duty of the Inspector, or his deputy, that when a board is not full 5-4 it shall be measured 4-4, and that when a board is not sawed parallel it shall be measured at the narrowest part of the board.

What classed merchantable.

What refuse.

Survey bill.

Fees for board measure.

SEC. 15. All two-inch, three-inch and four-inch plank and other lumber, clear of shakes, splits, rotten or red wood, worm holes and defective knots, showing 2-3 heart on heart side and being square-edged, shall be classified as merchantable, and all other blank lumber not coming up to this standard shall be classed as refuse.

SEC. 16. The Inspector or his deputy shall render to the owner or seller a survey bill, showing the number and kind of pieces of each kind and quality; and he shall be entitled to and receive a fee of thirty cents per thousand feet, board measure, for every thousand feet measured, and out of said amount the Inspector shall receive five cents for every thousand feet, the entire fee to be paid by the

owner or seller: *Provided*, That the fees to be received by the Inspector of Timber and Lumber her-in created shall in no way become an additional charge to the seller or purchaser of said timber or lumber for the inspection or measurement of the same.

A. D. 1874.

SEC. 17. Any deputy making a wrong measurement, the same being reported to the Inspector and he finding the measurement wrong, shall not be entitled to any fee for the measurement of said timber or lumber, and the fees, if already collected, shall be returned to the owner or seller; and if the deputy shall be reported a second time for wrong measurement, he shall lose his fees and be discharged as deputy for the town of and harbor of Port Royal.

Penalty for  
false measure-  
ment.

SEC. 18. Any one violating the provisions of this Act shall be subject to a fine, to be imposed by any Court of competent jurisdiction, of one hundred dollars for each and every offense so committed.

SEC. 19. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 3, 1874.

# AN ACT TO INCORPORATE THE "VICTORIA RAILROAD COM- No. 510. PANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from some point on Colleton Neck, near the junction of the Chichesse and Colleton Rivers, in Beaufort County, to some point on the Savannah River, in the same County, opposite or near the city of Savannah, Georgia, a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted and vested in N. B. Myers, A. A. Aspinwall, J. D. Robertson, W. J. Bowen, John Leith, R. F. Gleaves, J. J. Wilson, J. Mitchell, and their associates; and when a company shall be formed in compliance with the conditions herein prescribed, it shall be known by the name of the "Victoria Railroad Company," and shall have a corporate existence as a body politic.

Line of road.

Corporators.

Corporate  
name.

SEC. 2. That the capital stock of said company shall be five million dollars, (\$5,000,000,) in shares of fifty dollars each; and in order to raise the said capital stock it shall be lawful to open

Capital stock.

A. D. 1874.

Books of subscription.

books of subscription in such places and at such times as may be deemed for the best interests of the corporation, under the direction of the corporators, the times and places for receiving such subscriptions to be determined by a majority of the corporators; and the subscription books shall be kept open for twenty days from such time and at such places as said corporators may determine that on each share of the stock subscribed the subscribers shall pay one dollar to the corporators, who shall deposit the same in some national or State bank. When fifty thousand dollars shall have been subscribed, any four of the said corporators shall give notice, by publication for at least ten days, of the time and place of meeting for organization.

Invested with powers and privileges conferred by charter on Spartanburg and Union Railroad.

SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and all the rights and privileges and powers granted by the charter of the Spartanburg and Union Railroad Company to that company shall be, and are hereby, granted to the Victoria Railroad Company, subject to the conditions therein contained, except in so far as the special provisions of this Act modify or vary the same: *Provided*, That nothing herein contained shall be so construed as to exempt the Victoria Railroad Company from the provisions of Section 1, Chapter LXIII, of the General Statutes, nor to exempt the said company from the payment of taxes.

Right of way, how obtained.

SEC. 4. That all questions concerning the right of way of said railroad, when the company and land owners cannot agree touching the same, shall be determined in the same manner as is provided by the tenth Section of an Act entitled "An Act to authorize the formation of the Spartanburg and Union Railroad Company," ratified on the seventeenth day of December, 1847, (S. L., Vol. 12, p. 479,) for determining questions of right of way of said railroad. In all cases of appeal for assessments by Commissioners, full costs shall be awarded to the party prevailing, and the collection thereof enforced as in cases of trespass.

SEC. 5. That this Act shall be held and deemed a public Act and shall vest and continue in said company for and during the term of fifty years, to be computed from the time of the corporate existence of the company.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE SALUDA MANUFACTURING COMPANY, OF LEXINGTON COUNTY.

A. D. 1874.

No. 511.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Johnston, John B. Palmer, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Saluda Manufacturing Company, for the purpose of manufacturing cotton yarns and cloths, paper, and such other fabrics as the demand of the community may require, and for procuring and making such machinery to carry on such manufactures, and also for the transaction of all such business as may be connected with the above purposes, with a capital of three hundred thousand dollars, with the privilege to increase it to any extent not exceeding six hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained.

Corporators.

Corporate  
name.  
Objects of  
corporation.

Capital stock.

SEC. 2. That the said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debt due to them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary; and may sue and be sued, have and use a common seal, and make such by-laws for the regulation and government of said corporation, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and shall have, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

May acquire  
and dispose of  
real estate.

May erect  
mills, machine  
shops, &c.

General  
powers.

SEC. 3. That this Act shall be a public Act and shall continue in force during the term of thirty years.

Approved March 3, 1874.

AN ACT TO AMEND SECTION SEVENTY-FOUR (74) OF AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," APPROVED MARCH 9, 1871, RELATING TO THE VILLAGE OF LANCASTER.

No. 512.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section seventy-four (74) of an Act entitled "An Act to grant, renew and amend the charters



A. D. 1874. of certain towns and villages therein mentioned," approved March 9, 1871, be, and the same is hereby, altered and amended, by striking out the words "one mile," in the third line, and inserting in place thereof the words "one-half mile," so that the said Section, in the part hereby altered and amended, will read as follows:

Village of Lancaster, corporate limits. "That the village of Lancaster, extending one-half mile in every direction from the court house, be, and the same is hereby, incorporated by the name of the village of Lancaster."

Approved March 3, 1874.

No. 513. AN ACT TO REGULATE THE ASSESSMENT OF AND COLLECTION OF TAXES UPON THE REAL ESTATE OF MARION COUNTY.

Preamble. Whereas great irregularities have been ascertained to exist in the assessment and valuation of the real estate in Marion County; and whereas, in consequence of the extent of these irregularities, adequate redress cannot be afforded to aggrieved taxpayers by the hearing of individual applications for relief; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the taxes heretofore provided to be collected upon the real estate in said County for the fiscal year commencing the first day of November, one thousand eight hundred and seventy-three, be levied upon the assessment of the real estate of said County upon which the taxes thereon were levied for the fiscal year commencing the first day of November, one thousand eight hundred and seventy-two, instead of upon the assessment thereof made in the year one thousand eight hundred and seventy-three; and that this Act apply as well to such persons as may have heretofore paid their taxes for the present fiscal year as to those whose taxes have not yet been paid.

Taxes on real estate to be collected on assessment of 1872.

This provision applicable to taxes already paid.

SEC. 2. That a reassessment of the real estate of said County be made during the present year, one thousand eight hundred and seventy-four, at the time provided by law for the assessment of personal property.

Real estate to be reassessed this year.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 5, 1874.

AN ACT TO INCORPORATE THE LONG CANE MANUFACTURING  
COMPANY, OF SOUTH CAROLINA.

A. D. 1874.

No. 514.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John M. Reith, John Anderson, William McKay and William Spruil, and such persons as now are or hereafter may be associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Long Cane Manufacturing Company," by which name and style they are hereby made capable in law to have, hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, buildings, machinery, and goods and chattels of whatsoever kind they may deem conducive to the object and interest of the said corporation, which are the manufacturing, dyeing, printing and finishing of all goods made of cotton or wool, or of which cotton or wool may form a part, and the transaction of all such business as may be necessarily connected therewith, in Abbeville County.

Corporators.

Corporate  
name.Objects of  
corporation.

SEC. 2. That the said corporation, by their name and style aforesaid, may sue and be sued, plead and be impleaded, in any Court of this State; make and use a common seal, and alter and change the same at their pleasure, and make and establish such by-laws and regulations, and such alterations and amendments thereof, not in conflict with the Constitution or laws of this State, or of the United States, as they may deem proper.

General  
powers.

SEC. 3. That the capital stock of the said corporation shall be fifty thousand dollars, with the right to increase the same, by the vote of a majority of the stockholders, to any sum not exceeding one million dollars; that the said corporation may commence business at any time after their capital stock shall have been subscribed and the fact thereof certified to the Secretary of State, for record in his office, under the oath of the President and Treasurer of the said corporation, which capital stock may be paid either in money, real estate, machinery or any other kind of property, the same to be divided into such number of shares as the said corporation shall determine, and the shares to be assignable and negotiable under such rules as the said corporation shall prescribe.

Capital stock.

Certificate to  
be filed in Sec-  
retary of  
State's office.

SEC. 4. That there shall be annual meetings of the stockholders at such time and place as they may designate, for the purpose of choosing a Board of Directors, to consist of not less than three nor more than seven, each of whom shall be a stockholder, and a President and other officers of the said corporation, who

Annual meet-  
ing, election of  
officers.

A. D. 1874.

may be members of the said Board of Directors, to manage their affairs.

Location of office.

SEC. 5. That the said corporation shall keep an office at their principal manufactory in Abbeville County, which, for all judicial purposes, shall deemed their location; and all meetings of the stockholders and Directors may be held at such places in this State as shall be directed by the by-laws of the said corporation.

Invested with rights and privileges conferred on similar institutions.

SEC. 6. That the said corporation shall have all the rights and privileges granted by law to other similar manufacturing companies in this State; and all the property, real and personal, of the said corporation shall be liable for the payment of their debts; and the

Liability of stockholders.

private property of the stockholders shall be liable for the payment of the debts of the said corporation to the amount of stock subscribed by them respectively and not actually paid in money or in property at the time of the commencement of the suit against them.

Capital not to be loaned to stockholders.

SEC. 7. That no part of the capital stock of the said corporation shall at any time, or under any pretense, be loaned or divided amongst the stockholders, nor shall any part of the said capital stock be withdrawn by the stockholders while any liability of the said corporation remains unpaid, or any dividend be declared except from the net earnings of the said corporation.

Manner of voting.

SEC. 8. That each stockholder of the said corporation shall have one vote for each share of the capital stock he may hold or represent at any election for a Board of Directors, or otherwise, and at any other meeting of the said corporation.

Sale of stock of delinquent stockholders.

SEC. 9. That if any stockholder shall refuse or neglect to pay any installment assessed on the share or shares of capital stock held by him for the space of sixty days after the time designated for the payment thereof, the Treasurer of the said corporation shall, under the order of the Board of Directors, sell at public auction such share, or so many of such shares, if such stockholder have more than one, as may be necessary to pay such assessment and the proper and necessary expenses attending such sale; and a bill of sale reciting the facts of the case, and signed by the President, and attested by the Treasurer of the said corporation, under their seal, shall be a sufficient transfer of the share or shares so sold to the purchaser or purchasers of the same, and entitle him or them to a certificate or certificates thereof.

SEC. 10. That this Act shall be deemed and taken to be a public Act and shall continue in force for the term of thirty years.

Approved March 9, 1874.

AN ACT TO REGULATE LABOR OF PERSONS CONFINED IN THE  
PENITENTIARY OF THE STATE OF SOUTH CAROLINA.

A. D. 1874.

No. 515.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all labor, of whatever character, which is now being, or may hereafter be, discharged by any person or persons who are now, or may hereafter be, confined in the Penitentiary of this State shall be exclusively discharged by such convicts on labor for the State alone; and the Superintendent and Board of Directors, or any officer or officers of the Penitentiary, are hereby prohibited from the letting, hiring or use of any such labor for any purpose or purposes whatsoever, except as heretofore provided; and any violation of this Act on the part of said Superintendent, Board of Directors, or any officer or officers, shall be an official misconduct, and, on the information of any person to the Attorney General, he shall immediately commence legal proceedings against him therefor.

Convicts to  
be employed  
on work of the  
State alone.

SEC. 2. That for the violation of the provisions of this Act, the said Superintendent, his assistant or employees, or other person or persons, and the party or persons contracting or receiving the services of said convicts shall be punished, upon conviction before any Court of competent jurisdiction, by a fine of not less than five hundred dollars, nor more than one thousand dollars, and imprisonment for a period of not less than three months nor more than six months, or either or both, at the discretion of the Court.

Penalty for  
violation here-  
of.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 9, 1874.

AN ACT TO INCORPORATE THE STEVEDORES' ASSOCIATION, OF  
GEORGETOWN. No. 516.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dandy Wragg, Edward Keith, George H. Powley, Daniel Armstrong, George Wilson, Charles H. Sperry, James Duncan, and their successors, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Stevedores' Association, of Georgetown, with the right to work on the Black, Pee Dee, Sampit and Waccamaw Rivers, and to regulate and fix the rate of pay for their labor; with power to make all necessary by-laws,

Corporators.

Corporate  
name.



A. D. 1874.

Powers and  
privileges.

not repugnant to the laws of the land; to have and to use a common seal, and the same to alter and amend at will; to sue and be sued, to plead and be impleaded, in any of the Courts of the State; and to have and enjoy all other rights, powers and privileges, and be subject to all other liabilities, incident to bodies corporate; and it is hereby empowered to take, retain, possess and enjoy all such property as it may acquire by purchase, right, devise or bequeath, or in any other way whatsoever, and the same to sell, mortgage and convey at the will of such corporation: *Provided, however,* That the value of said property, real and personal, shall not exceed the sum of twenty thousand dollars.

SEC. 2. This Act shall be taken and deemed a public Act and shall continue in force until repealed.

Approved March 9, 1874.

NO. 517. AN ACT TO MAKE AN APPROPRIATION TO PAY THE CLAIMS OF THE CITIZENS' SAVINGS BANK, OF SOUTH CAROLINA, AND THE CENTRAL NATIONAL BANK, OF COLUMBIA, S. C., AGAINST THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of sixty-five thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, bills payable or Treasury notes of the late State Treasurer, Niles G. Parker, interest on loans and other evidences of indebtedness, held as claims by the Citizens' Savings Bank, of South Carolina, and the Central National Bank, of Columbia, against the State of South Carolina.

SEC. 2. That the State Treasurer be, and he is hereby, directed and required, upon the presentation at his counter by A. G. Brenizer, Esq., Cashier, or his authorized agent, of the said claims of the said Citizens' Savings Bank, of South Carolina, and Central National Bank, of Columbia, to pay the same, with all lawful interest that may have accrued upon said claims: *Provided,* That the amount of said claims and interest shall not exceed the appropriation herein made.

SEC. 3. That in case there is not sufficient money in the Treasury to pay said claims, or any part thereof, at the time of presentation, the State Treasurer is herein authorized and required to issue to A. G. Brenizer, as Cashier, or his authorized agent, upon demand, cer-

Sixty-five  
thousand dol-  
lars appropri-  
ated to pay cer-  
tain claims.

State Treas-  
urer to pay  
claims with in-  
terest to A. G.  
Brenizer.

State Treas-  
urer may issue  
certificates of  
indebtedness.

tificates of indebtedness to the amount of said claim, which certificates shall be redeemed by the said Treasurer out of moneys collected from the taxes for the fiscal year commencing November, 1874, or receivable in payment for all taxes or other dues to the State for the said fiscal year, except of taxes for school purposes and interest on the public debt.

A. D. 1874.

Certificates  
receivable for  
taxes and re-  
deemable at  
the Treasury.

Approved March 9, 1874.

AN ACT TO AMEND SECTION THREE OF CHAPTER ONE HUNDRED AND THIRTY-THREE OF THE REVISED STATUTES. No. 518.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three of Chapter one hundred and thirty-three of the General Statutes be, and the same is hereby, so amended that, instead of the punishment in said Section prescribed for the crime of bigamy, every person convicted of such crime shall thereupon be punished by imprisonment in the Penitentiary for not more than five years nor less than six months, or by imprisonment in the jail for six months.

Crime of big-  
amy, how pun-  
ished.

SEC. 2. This Act shall take effect upon its passage.

Approved March 9, 1874.

AN ACT TO REGULATE THE FEES OF PROBATE JUDGES, CLERKS OF COURTS, TRIAL JUSTICES AND OTHER OFFICERS HEREIN MENTIONED. No. 519.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the fees which Probate Judges, Clerks of Courts, Trial Justices and other officers herein mentioned shall be authorized to receive, in the several cases herein specified, shall be as follows:

SEC. 2. *Judges of Probate.*—For petition for letters, &c., one dollar; for citation, fifty cents; qualifying executor, administrator or guardian, and issuing letters to same, two dollars; taking bond of administrator or guardian, one dollar; issuing warrant of appraisal, fifty cents; proving will in common form, one dollar; proving will in solemn form, five dollars; filing and entering renunciation of executor, one dollar; *dedimus potestatem* to prove will

Fees of Judges  
of Probate.

A. D. 1874.

or qualify executor, two dollars; receiving, examining and filing annual return, one dollar and fifty cents; for first and final return, each, three dollars; order for sale of personal property, one dollar; hearing and filing petition for guardians, and appointment, two dollars; entering caveat and withdrawing same, one dollar; for hearing litigated case, three dollars, and twenty-five cents additional for each witness examined; for issuing summons for each witness, thirty cents; for issuing rule against defaulting witness, or party failing to account, two dollars; for every attachment issued on return of such rule, one dollar; for certifying papers and furnishing proceedings in case of appeal, three dollars; for proceedings in partition of real estate, five dollars, and fifty cents additional on every hundred dollars, or fractional part thereof, for which the land may be sold, or, in case of partition in kind, for which it may be assessed: *Provided*, That in no case shall the fees and allowances so received aggregate more than twenty-five dollars: *And provided, further*, That in case of partition in kind, no commission shall be charged; for appointing guardian *ad litem*, three dollars; commissions on all moneys received and paid out, two per cent. on the first three hundred dollars, and one per cent. on all sums over that amount; for search for each paper, fifteen cents; for certificate and seal, fifty cents; for final discharge of executor, administrator or guardian, two dollars; for proceedings in dower, inclusive of all charges, fifteen dollars; for proceedings in lunacy, inclusive, five dollars; for recording all papers proper to be recorded, or furnishing copy of any paper in his office, per copy sheet of one hundred words, each figure counting one word, fifteen cents; for proceedings and services setting off homestead, including title, five dollars.

Fees of Clerks  
of Court.

SEC. 3. *Clerks of Courts*.—For the trial of every case, two dollars; for filing papers, twenty-five cents; for entering judgment, fifty cents; for signing and sealing sub writ, fifty cents; for administering oaths, twenty-five cents; for taking and filing bonds in attachment and other cases, one dollar; for signing and sealing commission to examine witness, one dollar; for recording plats under order of Court, one dollar; for rule of survey, fifty cents; for each official certificate under seal, fifty cents; for issuing attachment for contempt or other special writ, one dollar; for signing and sealing writ of *habere facias possessionem*, fifty cents; for receiving and paying over money officially, under three hundred dollars, two per cent.; over that amount, one per cent.; on bill *nolle prosequi*, before given out, one dollar; on bill thrown out by grand jury, or found and *nolle prosequi*, abated, discontinued or struck off, two dollars; on bill found and verdict by petit jury, three dollars; issuing bench warrant, one dollar and fifty cents; issuing each execution in sessions,



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one dollar and fifty cents; signing and sealing writ of *habeas corpus*, one dollar and fifty cents; issuing warrant or taking recognizance, or other services in the sessions, the same fees allowed to Trial Justices; each writ of *venire facias*, including all services incident to summoning jurors, two dollars and fifty cents; preparing and issuing certificates for grand and petit jurors and Constables, and witnesses, and furnishing returns to County Commissioners for each week of every term of Court, five dollars; furnishing advertisement in case of escheat, exclusive of printer's bill, three dollars; for advertising and giving notice to Managers of Elections, six dollars; for licenses to an attorney, all incidental services included, five dollars; filing, recording and entering notice of alien's intention to become a citizen, one dollar; filing report of alien, one dollar; administering oath of intention, one dollar; filing and entering application to become a citizen and administering oath, two dollars; for giving certificate of citizenship, one dollar; for taking renunciation of dower or inheritance, two dollars; for official record of estray, and filing papers, one dollar; every search for a paper, fifteen cents; every search, with certificate, fifty cents; swearing Trial Justice or Constable in office, and certificate and taking bond, one dollar and fifty cents; recording the bonds of County officers and certifying to same, one dollar and fifty cents; for every probate, in writing, twenty-five cents; for signing *dedimus potestatem*, two dollars: for copying papers, per copy sheet of one hundred words, each figure counting a word, fifteen cents; for signing and sealing each execution and renewal, fifty cents; for copying and recording deeds, mortgages and other papers, per copy sheet of one hundred words, each figure counting a word, fifteen cents; for every certificate on deeds or other papers, twenty-five cents; on every appeal from Trial Justices, all services included, two dollars; for entering satisfaction on mortgages, fifty cents; for recording or copying plats of not more than six corners, one dollar; for every corner more than six, ten cents; for filing every rule or order for arbitration, fifty cents; for filing and recording affidavit for continuance, when so ordered, twenty-five cents; for granting charters of incorporations, two dollars, except for churches, which shall be one dollar; for recording or copying all other papers necessary to be recorded, not hereinbefore mentioned, per copy sheet of one hundred words, each figure counting a word, fifteen cents.

SEC. 4. *Trial Justices and Justices of the Peace*.—Oath and warrant in any criminal case, fifty cents; each recognizance, fifty cents; commitment and release, each fifty cents; administering and certifying oath, in writing, other than above, twenty-five cents; issuing writ of *habeas corpus* by two Justices, jointly, two dollars; issuing

Fees of Trial  
Justices and  
Justices of the  
Peace.



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summons and copy for defendant in civil cases, fifty cents; issuing copy for each additional defendant over one, twenty cents; issuing summons to each witness in civil cases, twenty-five cents; for swearing and taking examination of each witness in civil cases, twenty-five cents; for giving judgment in cases not defended, twenty-five cents; for giving judgment on hearing litigated cases, seventy-five cents; for issuing execution, or renewal of same, fifty cents; report of case, and taking bond to appeal, two dollars; for issuing attachment, returnable to Court or Justice, including all notices, two dollars; for filing return of garnishee, and order thereon, twenty-five cents; for proceedings in case of ejection, five dollars; for approval of indentures of apprenticeship or servants, one dollar; for proceedings in Coroner's inquest, same fees as are now allowed to Coroners; for proceedings in estray of horse or mule, one dollar; for proceedings on all other estrays, fifty cents; for taking and certifying renunciation of dower or inheritance, two dollars; for granting order of special bail, one dollar; for the trial of any criminal case, three dollars, which shall include all costs except the issuing and service of papers; for every preliminary examination of any criminal case, one dollar and fifty cents; for taking deposition of witness in writing, as prescribed by law, one dollar; for taking examination of witness, in writing, as prescribed by law, one dollar; for attending and acting for the preservation of wrecked vessels and goods, three dollars per day out of the vessel's goods and effects; for proceedings against vagrants, and returning report thereof, four dollars; for qualifying appraisers in setting off homestead, seventy-five cents, and five cents per mile for all travel actually necessary; administering oath, twenty-five cents; for administering oath on affidavit, fifty cents; proceedings in bastardy, inclusive, five dollars.

Fees of Sheriffs.

SEC. 5. *Sheriffs*.—For entering every writ, process, warrant or execution, and making endorsements thereon, each forty cents; for serving every writ or summons, besides mileage, one dollar; for bond in any case, one dollar; for commitment and release, each twenty-five cents; for serving each *venire* for grand jury, fifteen dollars; for serving each *venire* for petit jury, twenty-five dollars; for serving each bench warrant issued in the sessions, attachment or contempt of Court, besides mileage, two dollars; for search for persons or goods not found and returned on the execution *non est inventus* or *nulla bona*, besides mileage, one dollar; levying attachment or execution, besides mileage, one dollar and fifty cents; dieting persons, per day, forty cents: *Provided*, That the Sheriff or person in charge of the jail shall make a monthly return, under oath, to the County Commissioners of the name of each prisoner actually lodged in jail, together with the commitment, and also the name of each prisoner discharged, with the discharge; upon which returns the County Commis-

A. D. 1871.

sioners shall monthly compute the amount to be paid; executing convict, including all charges for burial and other expenses, fifty dollars; bringing up prisoner under *habeas corpus*, (to be paid by the prisoner, if able, if not, by the County,) besides mileage, two dollars; for executing writ of *habere facias possessionem*, two dollars, and five cents per mile for all necessary travel in executing the same; for transferring money, bonds or other securities for money to party, one per cent.; for summoning freeholders to try suggestion of fraud, five dollars, besides mileage; for serving any paper in civil or criminal cases issued by Trial Justices, the same fees as are allowed to Constables in like cases; conveying prisoners from one place to another, besides all necessary expenses going and returning, three dollars per day; each guard for Sheriff in conveying prisoner, two dollars per day, but no fee shall be paid for any guard who has not actually been employed to assist in conveying prisoners; commissions on all moneys collected by him, if under three hundred dollars, two per cent.; on balance, if the amount collected is over that sum, one per cent.; on all moneys paid out of office on executions lodged, one per cent.; executions lodged to bind and order not to levy, one dollar; advertising defendant's property, in addition to printer's bill, one dollar; drawing deed or mortgage, three dollars; bill of sale, one dollar and fifty cents; each notice served on the Managers of Election of each election precinct, besides mileage, one dollar and fifty cents; in case of ejectment, ejecting tenant or others, five dollars; summoning Coroner's jury and witnesses, besides mileage, to be paid by the County, five dollars; for selling land under decree of probate, in lieu of commissions and all other charges except for advertising, three dollars; mileage for executing any writ, process or other paper not hereinbefore mentioned, five cents per mile, going and returning, for all travel actually made and done.

SEC. 6. *Constables*.—For summoning each witness in civil cases, fifty cents; serving summons, rule or notice in any civil case, fifty cents; for serving attachment on each person, one dollar; for levying execution, posting advertisement for sale and paying over proceeds, fifty cents, besides a commission of two per cent. on all sums collected, to be paid by the party in execution; for every day in search of stolen goods, to be paid by complainant, two dollars; for serving a warrant in any State case, one dollar; for selling an estray, five per centum of the proceeds; for all necessary service in case of ejectment, as well before as after judgment, five dollars; for serving Coroner's jury and witnesses, to be paid by the County, five dollars; and in all cases, in addition to the fees herein prescribed, Constables shall be entitled to receive five cents per mile for all necessary travel, going and returning; for each day's attendance upon Court

Fees of Constables.

A. D. 1874.

of Common Pleas and General Sessions, or other Court, when summoned or specially appointed by the Sheriff, one dollar and fifty cents per day while the Court is actually in session: *Provided*, That the number of Constables summoned or appointed shall be subject to the approval of the presiding Judge: *But provided, further*, That not more than ten Constables shall be summoned or appointed to attend during one term of any Court.

Pay of witnesses.

SEC. 7. *Witnesses*.—Witnesses in civil and criminal cases, per day, one dollar, besides mileage at five cents per mile going and returning: *Provided*, That in no case, except in cases of felonies, where witnesses for the defense are bound over, shall the State be liable to pay defendant's witnesses; witnesses in Trial Justices' Courts shall receive fifty cents per day and the same mileage as allowed in Circuit Courts.

Pay of jurors.

SEC. 8. *Jurors*.—Jurors, per day, one dollar and fifty cents, besides mileage at five cents per mile going and returning; jurors in Trial Justices' Courts shall receive twenty-five cents for each case tried and mileage as herein allowed to other jurors.

Fees of Circuit Solicitors.

SEC. 9. That Circuit Solicitors shall be allowed for their services, when not collected from the defendant, the following fees, and no others: For a trial before a jury, in civil or criminal cases, or before referees, ten dollars; for all appeals from Trial Justices, trial by Court or jury, seven dollars and fifty cents.

Pay of physicians for post mortem examinations.

SEC. 10. That the following compensation shall hereafter be allowed to any physician who may be called in by the acting Coroner to make a *post mortem* examination, to wit: When death has resulted from external violence and where no dissection is required, the sum of ten dollars; where dissection is necessary and no interment has taken place, twenty dollars; for the same, after one or more days' interment, thirty dollars; for the same, when any chemical analysis is required, a sum not exceeding fifty dollars, together with the expenses of such analysis; and that in every case in which such a physician shall be called to any distance beyond one mile, he shall be allowed the mileage usually charged in his neighborhood: *Provided*, That in all cases in which chemical analysis shall be made the physician who shall make the *post mortem* examination shall furnish to the County Commissioners of the County in which the said examination has been made, with his account, a full statement of such analysis: *Provided, further*, Every account presented for services for *post mortem* examination shall have the certificate of the Coroner, or Magistrate acting as Coroner, that the services were rendered.

Penalty for charging illegal fees.

SEC. 11. If any officer herein named shall charge any other fees or for any other services than those herein recited, such officer shall be



liable to forfeit, to the party injured, ten times the amount of excess of fees so improperly charged, to be recovered by suit in the Court of Common Pleas, or by rule, when the penalty may not exceed twenty dollars. In every case in which a Clerk of the Court of Common Pleas or Trial Justices' Courts shall issue an execution, he shall attach thereto a bill of each item of costs therein charged, and shall, on application of defendant in execution, tax all costs which accrue to the Sheriff for services on such execution.

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Clerk of Court to attach bill of costs.

SEC. 12. Whenever a case may be settled or determined at the mutual cost of parties, or discontinued by plaintiff, or the judgment shall be for defendant, any of the officers aforesaid shall have power to issue an execution for his costs, or the Clerk may issue for the whole, directed to the Sheriff, who is authorized and required to execute such process as in other cases of execution delivered to him.

Clerk may issue execution for his costs.

SEC. 13. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 9, 1874.

AN ACT TO ALTER AND AMEND SECTION THREE (3) OF CHAPTER NINETY (90) OF TITLE FOUR (4) OF PART TWO (2) OF THE GENERAL STATUTES, RELATING TO THE PAYMENT OF DEBTS OF PERSONS DECEASED. No. 520.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three (3) of Chapter ninety (90) of Title four, (4,) Part two, (2,) of the General Statutes be amended by striking out the sixth (6) subdivision thereof, and by adding the words "therein contained" to the fifth subdivision, so that subdivision five (5) of said Section three (3) shall read as follows: "5. Bonds and debts by specialty, and debts by simple contract, so that after the passage of this Act there shall be no distinction, in the payments of the debts of persons deceased, between bonds and debts by specialty and debts by simple contract:" *Provided*, That this Act shall only apply to debts created after its passage.

Distinction in order of payment between bonds and debts by specialty and debts by simple contract abolished.

This provision applicable only to debts hereafter created.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 9, 1874.

AN ACT TO MAKE APPROPRIATION TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873. No. 521.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in



- A. D. 1874. General Assembly, and by the authority of the same, That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-fourth (11) mills levied in pursuance of Section 1 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes," that is to say:
- Appropriation for salaries and contingent expenses.
- Expenses of Governor's office.
- Salary of Lieutenant Governor.
- Expenses of Secretary of State's office.
- Comptroller General's office.
- Contingent fund for use of Attorney General.
- Election expenses.
- Appropriation for expenses of examining Auditors' and Treasurers' books.
- Treasury Department.
- Expenses of Adjutant General's office.
1. For the salary of the Governor, thirty-five hundred dollars; for the contingent fund of the Governor, twenty thousand dollars; for the salary of the Governor's Private Secretary, two thousand dollars; for the salary of the Governor's messenger, five hundred dollars.
  2. For the salary of the Lieutenant Governor, twenty-five hundred dollars.
  3. For the salary of the Secretary of State, three thousand dollars; for the salary of the clerk of the Secretary of State, one thousand eight hundred dollars; for the contingent fund of the Secretary of State, one thousand dollars.
  4. For the salary of the Comptroller General, three thousand dollars; for the salary of the clerk of the Comptroller General, eighteen hundred dollars; for extra services in the office of the Comptroller General, two thousand dollars; for the contingent fund of the Comptroller General, one thousand dollars; for the civil contingent fund, fifteen thousand dollars, to be drawn on the warrant of the Comptroller General, on the application of the Attorney General, to defray expenses of litigation in his department; for Abel Robbins, pensioner, four hundred and eighty dollars, to be paid on the warrant of the Comptroller General; twenty-seven hundred dollars for the payment of Commissioners and Managers of general and special elections held in the various Counties of this State in the years 1871, 1872, 1873; and six hundred dollars, if so much be necessary, for the payment of expenses of the special election held in Beaufort County in 1871, said amounts to be drawn on the warrant of the Comptroller General; two thousand dollars, to be used by the Comptroller General, if so much be necessary, to be drawn upon his warrant, for the purpose of the inspection of all Auditors' and Treasurers' accounts by a competent party, subject to the direction of his office.
  5. For the salary of the State Treasurer, twenty-five hundred dollars; for the salaries of the chief clerk and book-keeper of the State Treasurer, eighteen hundred dollars each; for the contingent fund of the State Treasurer, one thousand dollars.
  6. For the salary of the Adjutant and Inspector General, twenty-five hundred dollars; for the salary of the clerk of the Adjutant

and Inspector General, one thousand dollars; for the contingent fund of the Adjutant and Inspector General, one thousand dollars; for the contingent expenses of the State militia, five thousand dollars, to be used as follows, namely: Five hundred dollars for the Military Hall, in Charleston, to be drawn on the application of the Brigadier General First Brigade, Second Division, of the National Guard, approved by the Major General commanding Second Division; five hundred dollars for the Armory of the First Brigade, Third Division, of the National Guard, at Columbia, to be drawn on the application of the General commanding the brigade, with the approval of the Governor; two hundred and fifty dollars for the Armory at Beaufort, to be drawn on the application of the Brigadier General of Second Brigade, Second Division, with the approval of the Major General commanding division; five hundred dollars for the benefit of each properly organized regiment having at least five hundred men enrolled and ready for duty, to be drawn upon the application of the Colonel of the said regiment, which application shall be endorsed by the Brigadier and Major General commanding the brigade and division to which such regiment is attached, and countersigned by the Governor. The Comptroller General shall, upon the presentation of such application, properly approved and signed, draw his warrant upon the State Treasurer for the amount of the respective applications, endorsed by the Major General commanding the division to which said regiment may be attached, and countersigned by the Adjutant and Inspector General.

A. D. 1871.

Military expenses.

7. For the salary of the State Superintendent of Education, twenty-five hundred dollars; for the salary of the clerk of the State Superintendent of Education, one thousand dollars; for the contingent fund of the State Superintendent of Education, one thousand dollars; for mileage certificates of the State Board of Education, one thousand dollars, to be drawn on the order of the State Superintendent of Education.

Expenses of Superintendent of Education's office.

8. For the salary of the Attorney General, three thousand dollars; for the salary of the Attorney General's clerk, one thousand dollars; for the contingent fund of the Attorney General, one thousand dollars.

Attorney General's office.

9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of the two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for an attendant upon the library and rooms of the Supreme Court, five hundred dollars, (said attendant to be appointed by and

Expenses of Supreme Court

A. D. 1874. removable at the pleasure of said Court); for the purchase of books for the Supreme Court Library, one thousand dollars; for the contingent expenses of the Supreme Court, six hundred dollars, to be drawn on the order of the Chief Justice.

Salaries of Circuit Judges and Solicitors. 10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the Judge of the Inferior Court of Charleston County, twenty-five hundred dollars; for the salaries of the eight Circuit Solicitors, eight thousand dollars.

State House Keeper and Watchmen. 11. For the salary of the Keeper of the State House and State Librarian, one thousand dollars; for the contingent fund of the State Librarian, five hundred dollars; for the salaries of the two watchmen of the State House and grounds, six hundred dollars each.

Salaries of Superintendents of Asylum and Penitentiary. 12. For the salary of the Superintendent of the State Lunatic Asylum, twenty-five hundred dollars; for the salary of the Superintendent of the State Penitentiary, two thousand dollars.

Salaries of County Auditors. 13. For the salaries of the County Auditors, thirty-two thousand five hundred dollars; for the clerk to the Auditor of Charleston County, one thousand dollars.

Salaries of School Commissioners. 14. For the salaries of the County School Commissioners, thirty-two thousand two hundred dollars.

Salaries of Health Officers. 15. For the Health Officers, five thousand one hundred dollars; for quarantine expenses, twenty-five hundred dollars; for the Keeper of the Lazaretto, four hundred dollars, to be drawn on the warrant of the Port Physician of Charleston.

Appropriations for public institutions. SEC. 2. That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-fourth ( $1\frac{1}{4}$ ) mills levied in pursuance of Section 2 of the Act recited in Section 1 hereof, that is to say:

Support and construction of Penitentiary. 1. For the construction and support of the State Penitentiary, fifty-one thousand five hundred dollars, fifteen hundred dollars of which shall be used for transportation and clothing of discharged convicts, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, to be approved by the Board of Directors.

Support of Lunatic Asylum. 2. For the support of the State Lunatic Asylum, sixty-five thousand dollars, fifteen thousand dollars of which, if so much be necessary, to be applied to the payment of salaries and wages of employees of said institution, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents.

State Orphan Asylum. 3. For the support of the State Orphan Asylum, twenty-five thousand dollars, to be paid in accordance with the law establishing the same.

Catawba Indians. 4. For the Catawba Indians, eight hundred dollars.



5. For the support of the Institution for the Education of the Deaf, Dumb and Blind, ten thousand dollars, to be paid on the warrant of the Comptroller General, upon the application of the Chairman and Secretary of the Board of Commissioners of the Deaf, Dumb and Blind: *Provided*, That no part of this sum shall be drawn until the institution heretofore established shall be reopened and in operation.

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Institution of  
Deaf, Dumb  
and Blind.

6. For the support of the University of South Carolina, twenty-seven thousand eight hundred and fifty dollars, to be paid on the warrant of the Comptroller General, upon the application of the Secretary of the Board of Trustees of the University; for beneficiary scholarships in said University, six thousand four hundred dollars, to be paid in accordance with the law establishing the same; for the support of the Preparatory School of the University, twenty-five hundred dollars, to be paid on the warrant of the Comptroller General, upon the application of the Secretary of the Board of Trustees of the University; for repairs to buildings of South Carolina University, five thousand dollars, to be paid on the warrant of the President of the University, with the approval of the Trustees of the same, five hundred dollars of which shall be used for the repair of the library and repairing the books.

South Caro-  
lina University

7. For Normal School purposes, six hundred dollars, to be paid on the warrant of the Comptroller General, upon the application of the Board of Regents of the Normal School.

State Normal  
School.

SEC. 3. That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-half mills levied pursuant to Section 4 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes;" that is to say:

Appropri-  
ations for legis-  
lative ex-  
penses.

1. For the payment of the salary and mileage of the members of the General Assembly, one hundred and three thousand dollars, if so much be necessary; and the Clerks of the Senate and House of Representatives are hereby authorized and directed to furnish to each member of their respective bodies a pay certificate for the amount of his salary and per diem, as fixed by an Act entitled "An Act to regulate the pay of the members of the General Assembly," approved March 13, 1872.

Salary and  
mileage of  
members.

2. For the payment of the clerks of the engrossing and enrolling departments, Solicitors and clerks of the Attorney General's office, and other expenses common to the two houses, the sum of twelve thousand dollars, if so much be necessary, is hereby appropriated, to be drawn on the order of the President of the Senate, countersigned by the Speaker of the House of Representatives.

Joint expenses



A. D. 1874.

Expenses of  
Senate.

3. For the payment of the subordinate officers, employees and incidental expenses of the Senate, the sum of thirty thousand dollars is hereby appropriated, to be paid in such amounts as said body shall determine, upon the order of the President of the Senate, attested by the Clerk of the same.

Expenses of  
House of Rep-  
resentatives.

4. For the payment of the subordinate officers, employees and incidental expenses of the House of Representatives, the sum of forty-five thousand dollars is hereby appropriated, to be paid in such amount as said body shall determine, upon the order of the Speaker of the House of Representatives, attested by the Clerk of the same.

Current  
printing.

5. For the payment of expenses of current printing, twenty-five thousand dollars is hereby appropriated, to be paid on the order of the Clerks of the two houses.

Expenses of  
House and  
Senate pay-  
able *pro rata*.

6. If the proceeds of the tax levied for payment of the expenses of the General Assembly shall be insufficient to pay in full the appropriations herein made, the State Treasurer is directed, after paying the salaries and mileage of the members, to divide the remainder *pro rata* between the House and Senate orders.

Appropri-  
ations for pub-  
lic schools.

SEC. 4—1. That the sum of three hundred thousand dollars is hereby appropriated for the support and maintenance of public schools out of the proceeds of the tax of two (2) mills levied in pursuance of Section 3 of the Act before recited in Section 1 hereof.

School funds,  
how to be ap-  
portioned.

2. That the sum realized from said levy in excess of three hundred thousand dollars is hereby appropriated to the payment of teachers' claims for the years 1871 and 1872: *Provided*, That the said excess be apportioned by the State Superintendent of Education amongst the several Counties of the State as hereinafter provided, and be paid *pro rata* upon teachers' claims in said Counties; and the State Superintendent of Education is hereby authorized and directed to apportion the said appropriations upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1873; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the various school districts of their said Counties as aforesaid.

Expenses of  
current and  
permanent  
printing.

SEC. 5—1. For the payment of the balance due the Republican Printing Company, on contract for current and permanent printing of the present session of the General Assembly, fifty-four thousand dollars, to be paid in accordance with the provisions of the Act under which said contract was awarded to the said company.

Publishing  
laws.

2. For payment of expenses of publishing the laws of the extra and regular sessions of the General Assembly, twenty-five thousand dollars, out of the proceeds from phosphate royalty, to be paid on the order of the Clerks of the two houses: *Provided*, That no

contract shall be made with any paper other than those designated as the official papers of the State. A. D. 1874.

SEC. 6. For the payment of the July interest upon the consolidation bonds of the State, such amount as may be necessary of the proceeds of the one (1) mill tax levied in pursuance of Section 7 of the Act recited in Section 1 hereof, the surplus, if any, after paying said interest, to be applied to the extinguishment of the principal of said debt in accordance with the provisions of an Act entitled "An Act to reduce the volume of the public debt and to provide for the payment of the same," approved December 22, 1873. Interest on consolidation bonds.

SEC. 7. That the moneys herein appropriated as contingent funds shall be drawn by the heads of each department, respectively, and they shall make to the General Assembly, at its next session, on or before December 1, a detailed statement of the disposition made thereof: *Provided*, That no officer authorized to make contracts or draw funds from these appropriations shall expend, or make a contract expending, more money than has been appropriated for such purpose by this Act. Contingent funds, by whom to be drawn.  
Reports of disposition thereof.

SEC. 8. The money appropriated in Section 2 of this Act shall not be paid out except for expenses incurred during the fiscal year commencing November 1st, 1873, and ending October 31st, 1874, and it is here made a felony for any officer to pay out any portion of the same otherwise than herein provided for, and, upon conviction thereof, shall be punished by fine and imprisonment, at the discretion of the Court, not to exceed two years' imprisonment: *Provided*, That fifteen thousand dollars, if so much be necessary, of the amount appropriated to the Lunatic Asylum may be applied to the payment of past due indebtedness for services and wages of employees prior to the fiscal year ending November, 1874. Penalty for paying appropriations herein made on expenses of past years.  
Proviso.

SEC. 9. That for the payment of contingent accounts passed at the special and regular sessions of 1873, the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, to be paid on the orders of the presiding officers, attested by the Clerks of the two houses respectively. Contingent accounts of House and Senate.

Approved March 9, 1874.

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AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF DUE WEST, IN THE COUNTY OF ABBEVILLE. No. 522.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States and of this State, who now

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Town of Due West incorpo-  
ratedCorporate  
limits.

are, or hereafter may be, inhabitants of the town of Due West, in the County of Abbeville, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Due West, and its limits shall be deemed and held to extend three-quarters of a mile in each direction along the main street, from the Associate Reformed Church as a center, and a half mile on each side of said main street, so as to include an area of one and a half miles in length and one mile in width.

Provisions of  
charter of town  
of Ninety-Six  
to extend to  
Due West.

SEC. 2. That the provisions of the charter of the town of Ninety-Six, in Abbeville County, incorporated by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872, be, and the same are hereby, held and declared to extend to the town of Due West: *Provided*, That Section 12 of said Act shall not be made of force and effect, as to the town of Due West, in so far as it conflicts with the charter of Erskine College, approved March 12, 1872.

Proviso rela-  
tive to Erskine  
College.Elections—  
time of hold-  
ing.

SEC. 3. The first election for Intendant and Wardens under this Act shall be held on the first Tuesday in April, 1874, ten days' notice of said election having been previously given, and annually thereafter as provided in said charter of the town of Ninety-Six.

Approved March 9, 1874.

## NO. 523. AN ACT TO INCORPORATE THE TOWN OF PORT ROYAL, IN THE COUNTY OF BEAUFORT AND STATE OF SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or may hereafter become, inhabitants of the town of Port Royal, in the County of Beaufort, shall be deemed, and are hereby declared, a body politic and corporate, and said town shall be known and called by the name of Port Royal; shall have a common seal; may sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and may purchase, hold, possess and enjoy to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed; and its limits shall be deemed and held to extend as follows: Its North boundary shall extend East and West on the line of the North side of Twenty-eighth street, (as per map and survey of E. G. Nichols); on the East side, to high water mark on opposite shore of Beaufort River; and on West side, to high water mark on opposite shore on Battery River; and

Corporate  
limits.



on South side, to high water mark on opposite shore of Beaufort and Battery Rivers.

A. D. 1874.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Wednesday in January, on which, as well as on the second Wednesday in January of every year thereafter, an election shall be held for Intendant and four Wardens, who shall be citizens of the State of South Carolina, and shall have been resident in said town for sixty days immediately preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' public notice being previously given; that John McFall, Fred. Brown and J. W. King be, and they are hereby, appointed a Board of Managers to hold the first election under this Act; that all male inhabitants of said town of the age of twenty-one years who have resided therein sixty days previous to said election shall be entitled to vote for said Intendant and Wardens; and the election shall be held from eight in the morning until five o'clock in the afternoon, when the polls shall be closed, and the Managers shall publicly count the votes and proclaim the election, and give notice thereof in writing to the persons elected; and that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election at least twenty days previous to the election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to be administered to the officers first elected by some officer duly authorized to administer an oath, by the out-going Intendant and Wardens thereafter elected, the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of Port Royal, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God." And that the said Intendant and any two or more Wardens shall constitute a quorum, or, in absence of the Intendant, three Wardens or more shall constitute a quorum.

Officers.

Managers of Election.

Oath of office.

SEC. 3. That in case a vacancy should occur in the office of Intendant or of any of the Wardens by death, resignation or removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancies.



A. D. 1874.

Certain officers to be appointed.

Town Council, duties of.

Powers and privileges.

Fines.

SEC. 4. That the Town Council shall have the power to appoint a Port Warden, Harbor Master, Public Surveyor and Inspectors, and, by ordinance, define their duties, and, by ordinance, regulate the distance which wharves may be built into the rivers, not inconsistent with the Constitution of the State and the laws of the land.

SEC. 5. That the Town Council of Port Royal be, and they are hereby, authorized to establish a guard or police for the better security and regulation of said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation and impose fines and penalties for neglect or improper discharge of duties of said guard, and, generally, to perform all acts necessary and proper to effectuate the intention of this Act, and make and establish all rules and orders relative to said guard not inconsistent with the laws of the State; that the Intendant, duly elected and qualified, shall, during his term of service, be vested with all the powers of Trial Justices and Justices of the Peace in this State, in matters civil and criminal, within the limits of said town, except for the trial of small and mean causes; and that the Intendant shall, as often as occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of business and shall be known by the name of the Town Council of the town of Port Royal; and they and their successors in office shall have a common seal, and shall have power to appoint, from time to time, such and so many proper persons to act as Marshals or Constables as they shall deem expedient and proper, which officers shall have all powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells and springs, or fountains of water, markets and police of said town of Port Royal, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State; and all such by-laws and ordinances shall, at all times, be subject to revisal or repeal by the General Assembly of the State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fine shall exceed thirty dollars; and when fines shall exceed twenty dollars, the same to be collected as fines and penalties in Trial Justices' Courts.

SEC. 6. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifty cents on the one hundred dollars: *And provided, further*, That nothing herein contained shall be so construed as to prevent the said Town Council from imposing licenses for the sale of liquor, either by wholesale or retail, or for the keeping of billiard rooms, bowling alleys or other places of public amusement.

A. D. 1874.

Taxes.

Licenses.

SEC. 7. That in order to secure the free expression of all persons qualified to vote, that the Managers of Election shall open their polling precincts for the registration of voters, as per Chapter XI, Sections third, fourth and fifth, of Municipal Election, of the Revised Statutes of South Carolina, for the year one thousand eight hundred and seventy-three, and that the pay of said Managers shall be at the rate of one dollar per day.

Elections.

SEC. 8. That this Act shall be deemed a public Act in all Courts of justice and shall continue of force until repealed.

Approved March 9, 1874.

AN ACT TO RELIEVE THE BONDSMEN OF THE LATE COUNTY TREASURER OF GREENVILLE COUNTY, JAMES M. ALLEN. No. 524.

Whereas James M. Allen, late County Treasurer of Greenville County, now a fugitive, expended the moneys collected by him, for State and County purposes, for the purchase of the following claims against the State and the County of Greenville, to wit: One Senate certificate, dated January 29, 1873, drawn in favor of S. A. Swails, for seven hundred and sixty dollars (\$760); one Senate certificate, dated February 26, 1873, drawn in favor of J. M. Bolan, for one hundred dollars (100); one Senate certificate, dated February 26, 1873, drawn in favor of J. M. Bolan, for three hundred dollars (\$300); one Senate certificate, dated January 29, 1873, drawn in favor of J. B. Byas, for fifty-nine (59) dollars; one Senate certificate, dated March 6, 1872, drawn in favor of J. M. Allen, for sixteen hundred and fifty dollars (\$1,650); one Senate certificate, dated March 15, 1872, drawn in favor of James Kinard, for fifty-six dollars (\$56); one Senate certificate, dated January 30, 1872, drawn in favor of James Kinard, for two hundred and fifty-eight dollars (\$258); one House certificate, dated February 16, 1872, drawn in favor of Henry Daniels, for twenty-two 75 100 dollars (\$22.75); one House certificate, dated March 13, 1872, drawn in favor of Edward Snead, for one hundred and eighty-one 50 100 dollars

Preamble.

A. D. 1874.

(\$181.50); one House certificate, dated March 13, 1872, drawn in favor of D. G. Robertson, for six hundred and forty-two dollars (\$642); one House certificate, dated March 13, 1872, drawn in favor of Benjamin Arnold, for seventy-eight dollars (\$78); one House certificate, dated February 16, 1872, drawn in favor of Benjamin Arnold, for one hundred and seven 70-100 dollars (\$107.70); one House certificate, dated February 26, 1873, drawn in favor of E. M. Byten, for three hundred and seventy-five dollars, (\$375); one joint certificate, dated February 26, 1873, drawn in favor of J. S. Simons, for four hundred and twenty-seven dollars (\$427); one joint certificate, dated January 29, 1873, drawn in favor of J. Edwards, for three hundred and ninety dollars (\$390); one joint certificate, dated January 29, 1873, drawn in favor of J. A. Beattie, for sixty-nine dollars (\$69); one joint certificate, dated February 26, 1873, drawn in favor of J. B. Byers, for one hundred and fifty dollars (\$150); one joint certificate, dated February 26, 1873, drawn in favor of W. J. Finley, for five hundred and fifty-eight dollars (\$558); one House certificate, dated February 8, 1873, drawn in favor of J. C. Holmes, for two thousand and fifty-one dollars (\$2,051); one House certificate, drawn in favor of John Williams, dated January 17, 1873, for three hundred and thirty-five dollars (\$335); one House certificate, dated January 17, 1873, drawn in favor of John Williams, for thirteen hundred and twenty-five 10-100 dollars (\$1,325.10); printing account of Greenville Enterprise, dated May 3, 1872, for six hundred and eighty-six 45-100 dollars (\$686.45); Treasury note, drawn in favor of Timothy Hurley, dated May 30, 1872, for six hundred and forty-two dollars (\$642); and teachers' and school claims, amounting to eleven thousand seven hundred and sixty-six 90-100 dollars (\$11,766.90); also, claims due to said James M. Allen, in possession of the State, under attachment of the Attorney General, amounting to fifteen hundred dollars (\$1,500); besides numerous other claims also in the hands of the Attorney General and the County Commissioners of Greenville County; all of which above recited claims are now in possession of the State under attachment made by the Attorney General and the County Commissioners of Greenville County; now, therefore,

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wilson Cook, James Runion, M. K. Robertson, M. Sullivan, W. E. Earle and Absalom Blythe, bondsmen and sureties of the said James M. Allen, late County Treasurer of Greenville County, be, and they are hereby, relieved from all responsibility to the State or said County of Green-

Sureties relieved from responsibility.



ville, or to any person or persons whomsoever, by reason of their endorsements on said Allen's official bond: *Provided*, That nothing herein contained shall be so construed as to relieve the said James M. Allen from liability on the said bond, or to dissolve any attachment which may have been levied upon his property under suits by the County Commissioners of Greenville County, and the State by the Attorney General: *And provided, further*, That the fund arising from the sale of property attached in Greenville County shall be applied to his default to said County.

A. D. 1874.

Property levied upon not affected by this Act.

Approved March 11, 1874.

AN ACT TO VALIDATE ALL PAYMENTS MADE BY THE COUNTY TREASURER OF EDGEFIELD COUNTY UNDER AND PURSUANT TO THE PROVISIONS OF A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL TAX OF THREE MILLS, TO BE LEVIED AT THE TIME OF THE GENERAL TAX," AND TO DECLARE THE INTENT OF SAID JOINT RESOLUTION.

No. 525.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the payments made by the County Treasurer of Edgefield County under and pursuant to the provisions of a Joint Resolution entitled "A Joint Resolution to authorize the County Commissioners of Edgefield County to levy a special tax of three mills, to be levied at the time of the general tax," approved December 22d, 1873, claims which had been audited, allowed, and checks or orders for the same issued by a former Board of County Commissioners of said County, be, and the same are hereby, validated and declared to have been duly and lawfully made, in conformity with the true intent and meaning of the aforesaid Joint Resolution.

Payments made by County Treasurer validated.

SEC. 2. That it is hereby declared to be the true intent and meaning of the said Joint Resolution that all past due claims which have heretofore been audited and allowed, and for which checks or orders of the County Commissioners have been issued prior to the passage of the said Joint Resolution, shall be paid in full out of the special tax levied under the provisions of the said Joint Resolution, as the proceeds of such tax shall come into the hands of the County Treasurer of said County, without requiring such past due claims to be reaudited.

Claims not to be reaudited.

Approved March 12, 1874.



A. D. 1874.

## AN ACT TO REPEAL AN ACT TO RECHARTER THE CYPRESS CAUSEWAY.

No. 526.

Charter of  
Cypress Cause-  
way repealed.

County Com-  
missioners to  
repair same.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act to recharter the Cypress Causeway, approved March 7, 1871, be, and the same is hereby, repealed.

SEC. 2. That the County Commissioners of Charleston and Colleton Counties be required to repair the same.

Approved March 14, 1874.

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## No. 527. AN ACT TO INCORPORATE THE EBENEZER BAPTIST CHURCH OF GEORGETOWN COUNTY.

Corporators.

Corporate  
name.

Powers and  
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James Small, Cain Rutledge, Francis Chisolm, and their associates and successors, are hereby incorporated and declared to be a body corporate and politic, under the name and style of the Ebenezer Baptist Church of Georgetown County, and by such name and style shall have succession of officers and members, and shall have a common seal, with power to alter the same at will.

SEC. 2. That said corporation shall have power to make such by-laws, not repugnant to the laws of the land, as they may deem expedient and necessary, and to sue and be sued in any Court in this State; and to have, hold, receive and possess any real or personal property, not exceeding twenty-five thousand dollars, and to sell, convey and dispose of the same.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force for the term of fourteen years from its passage.

Approved March 14, 1874.

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## No. 528. AN ACT TO CONSTITUTE THE COUNTY COMMISSIONERS OF ANDERSON COUNTY COMMISSIONERS OF HEALTH AND DRAINAGE, AND TO DEFINE THEIR POWERS AND DUTIES THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That the County Commissioners of Anderson County be, and they are hereby, authorized, in addition to the duties now imposed on them by law, to act as Commissioners of Health and Drainage, and they are hereby empowered, as such Commissioners of Health and Drainage, to act as follows, to wit:

A. D. 1871.

County Commissioners to act as Commissioners of Health and Drainage.

1. That in all cases where a land owner desires to drain his lands and is refused a necessary outlet upon or through adjoining lands, the County Commissioners are hereby empowered to hear the case on petition and personal service, and to decide and fix either compensation on the one side or assessment upon the other; and their decision in such cases shall have the force of a legal judgment.

County Commissioners empowered to hear cases.

2. That in cases where one-third of the land owners upon any water course, for a distance of not less than five miles up and down the stream in said County, shall desire to drain the lands upon such water course, the County Commissioners shall, upon petition, personal service and the testimony of one or more competent engineers, be empowered to make contracts for such drainage, and impose the proper assessment upon the various properties benefitted by the same, and the said assessments shall have the force of a legal judgment: *Provided*, That in both above mentioned cases, should any party feel aggrieved by the decision or action of the County Commissioners in the premises, it shall be lawful for him to appeal to the Judge of the Circuit at the term of the Court next ensuing, whose decision in the matter shall be final.


County Commissioners to make contracts for drainage and impose assessments therefor.

Proviso.

3. That in cases where the general health of the County is seriously affected by the condition of any water course, the County Commissioners shall, upon petition and proof of at least one-third of the land owners upon such water course, or of one-third of the land owners within two miles on either side of such water course, and not less than five miles up and down the stream—which proof shall contain the affidavits of two physicians, one of whom shall practice in the neighborhood—make an estimate of the cost and proceed to drain such water course as in the case heretofore provided for: *Provided, however*, That if, in the opinion of said County Commissioners, the cost of such drainage imposes too heavy an assessment upon the individual land owners upon such water course, they shall make a report, in writing, of their estimate and opinion to the Judge of the Circuit Court at the next ensuing term thereof, and if he approve of such report and estimate, which approval shall be in writing, the County Commissioners shall contract for such drainage, and, after levying a fair assessment upon all such property, they shall charge the surplus of the cost of such drainage to

Where the health of County is affected by any water course, County Commissioners may have same drained.

Proviso.

A. D. 1874.  the County, to be carried into their estimate for the County expenses for the next ensuing year.

All mill dams  
to be furnished  
with flood  
gates.

4. That in cases where the general health of the County or neighborhood be seriously affected by the condition of any mill dam, the County Commissioners of said County shall have the power to remove the cause of such nuisance, provided a fair compensation be paid to the owner thereof, the same to be assessed upon the property of those benefitted by the removal of such nuisance; and shall further regulate the condition of all mill dams in said County by requiring the owners thereof to furnish such mill dams with a substantial flood gate, if, in their judgment, the health of the neighborhood or the drainage of the land above the dams require a flood gate to be placed in the dam, to be opened at and kept open for such times as the said County Commissioners shall direct.

Approved March 14, 1874.

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No. 529. AN ACT TO RENEW THE CHARTER OF A BRIDGE ACROSS THE SENECA RIVER, IN ANDERSON COUNTY, KNOWN AS EARLE'S BRIDGE.

Bridge over  
Seneca River  
rechartered.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the bridge across the Seneca River, at or near Shallow Ford, in Anderson County, be, and the same is hereby, rechartered and vested in Sallie F. Earle and Annie W. Earle, their heirs and assigns, for the term of fourteen years, with the same privileges, rights, franchises and emoluments granted under its former charter: *Provided*, That nothing herein contained shall at any time prevent the County Commissioners from erecting a free bridge across said stream at any point they may deem proper.

Proviso.

Approved March 14, 1874.

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No. 530. AN ACT TO INCORPORATE THE BOYKIN METHODIST EPISCOPAL CHURCH, IN MARLBORO COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members of said church, in Marlboro County, be, and the same are hereby, incorporated and declared to be a body corporate, by

the name and style of the Boykin Methodist Episcopal Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

A. D. 1874.

Corporate  
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any property not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and, by its corporate name, may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall, from time to time, be agreed upon by its members, or by a majority of them.

Powers and  
privileges.

SEC. 3. That the sale of intoxicating liquors be, and the same is hereby, expressly prohibited within a radius of two miles every way from said church; that no license from any authority whatever shall warrant such sale; and whoever shall be found guilty of a violation of this Act shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than one hundred nor more than five hundred dollars, and be imprisoned in the discretion of the Court.

Intoxicating  
liquors not to  
be sold within  
two miles of  
church.

SEC. 4. That this Act shall be deemed and held to be a public Act and shall continue in force until repealed.

Approved March 14, 1874.

# AN ACT TO INCORPORATE THE MECHANICAL FAIR ASSOCIATION OF DARLINGTON COUNTY. No. 531.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Manuel Weston, Sr., Adam Bristow, Alfred Robinson, J. A. Smith, Samuel Keith, Dallas Dargan, Edgar Harony, and their successors in office and associates, be, and they are hereby, declared a body politic and corporate, under the name and style of the Mechanical Fair Association of Darlington County, with a capital stock not exceeding twenty-five thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate  
name.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same (or any part thereof) to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and

Powers and  
privileges.



A. D. 1874.

Proviso.

objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporation shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act and shall have force until repealed.

Approved March 14, 1874.

NO. 532. AN ACT TO INCORPORATE THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George F. McIntyre, W. N. Taft, J. E. Loeb, S. B. Johnson, S. J. Lee, E. W. M. Mackey, Henry Cardozo, Josephus Woodruff, William H. Jones, Jr., H. C. Corwin, D. A. Miller, A. O. Jones, C. C. Bowen, C. H. Burhans, Frank Roach, Lewis Elias, W. V. Sarvis, B. F. Whittemore, T. C. Andrews, R. A. Sisson, John A. Barre, A. W. St. Amand, C. Smith, John Wilson, W. E. Holcombe, C. D. Hayne, W. B. Nash, W. E. Johnson, C. P. Pelham, Jr., J. C. Hope, Sr., and Timothy Hurley, all of the State of South Carolina, and such other persons as may be associated with them, in conformity to this Act, and their successors, are hereby constituted and created a body corporate, by the name of the South Carolina Society for the Prevention of Cruelty to Animals.

Corporators.

Corporate name.

Officers.

SEC. 2. The officers of the said corporation shall consist of a President, five Vice Presidents, one Secretary, one Treasurer, an Executive Committee of fifteen members, and such other officers as shall from time to time seem necessary to this society.

SEC. 3. The foregoing officers shall be chosen from among the members of the society.

SEC. 4. A library may be created for the use of the society.

Corporate powers.

SEC. 5. The said society, for the fixing the terms of admission of its members, for the government of the same, for the election, changing and altering the officers above named, and for the general regulation and management of its affairs, shall have power to form a code of by-laws, not inconsistent with the laws of this State or of the United States, which code, when formed and adopted at a

regular meeting, shall, until modified or rescinded, be equally binding as this Act upon the society, its officers and members.

A. D. 1874.

SEC. 6. This society shall not, in its corporate capacity, hold real estate exceeding in value at any one time the sum of twenty-five thousand dollars.

SEC. 7. The police force of the city of Charleston, as well as of all other places where police organizations exist in the State, shall, as occasion may require, aid the society, its members or agents, in the enforcement of all laws which are now or may hereafter be enacted for the protection of dumb animals.

Police force of cities to aid society in protection of animals.

SEC. 8. One-half of the fines collected through the instrumentality of this society, or of its agents, for violations of such laws, shall accrue to the benefit of said society.

Fines.

SEC. 9. The provisions of this Act shall be general within the boundaries of the State.

SEC. 10. This Act shall take effect immediately upon its passage.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE ORANGEBURG MANUFACTURING COMPANY. No. 533.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William F. Barton, F. W. Fairy, John S. Bowman, Samuel Dibble, T. C. Andrews, J. L. Moorer, P. Doyle, John H. Livingston, John A. Hamilton, A. D. Frederick, F. H. W. Briggman, W. A. Scovill, George Boliver, Harpin Riggs, W. A. Merony, T. D. Wolfe, T. K. Legare, L. R. Beckwith, James F. Izlar, J. Felder Myers, T. H. Zimmerman, George H. Cornelson, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of the Orangeburg Manufacturing Company, for the purpose of manufacturing cotton, barrels, staves, tubs, carriages and wagon materials at such places in said County, and erect such mills and other works as may be required to carry on such branches of manufacture. And they shall have power to raise, by subscription, in shares of one hundred dollars each, a capital of two hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the said corporation shall not go into operation until twenty-five thousand dollars of the capital stock shall be paid in in gold or silver or United States treasury notes.

When to go into operation.

A. D. 1874.

Powers and  
privileges.May issue  
bonds.

SEC. 3. That all the rights, powers, privileges and franchises granted to the Vaucluse Manufacturing Company by an Act of the General Assembly of the State of South Carolina, approved February 26, 1869, be, and they are hereby, vested in and conferred upon the said Orangeburg Manufacturing Company. And the said manufacturing company shall have power and authority to issue bonds to an amount equal to one-half of their capital subscribed, the same to be redeemable at such time, not exceeding twenty (20) years, as may be agreed upon by the company, and to bear interest at seven per cent. per annum, payable semi-annually.

SEC. 4. That this Act shall be deemed a public Act and remain in force for the term of thirty years.

Approved March 14, 1874.

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No. 524. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE SHILOH METHODIST EPISCOPAL CHURCH, SOUTH, IN ABBEVILLE COUNTY, SOUTH CAROLINA.

Shiloh Meth-  
odist Church,  
charter ex-  
tended.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Shiloh Methodist Episcopal Church, South, in Abbeville County, South Carolina, be, and the same is hereby, extended and continued until repealed, with all the rights, powers and privileges heretofore granted.

Approved March 14, 1874.

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No. 535. AN ACT TO INCORPORATE THE PIPE CREEK BAPTIST CHURCH, OF LAWTONVILLE, BEAUFORT COUNTY, S. C.

Corporators.

Corporate  
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. A. Lawton, George Rhodes, E. H. Peoples, John Lawton, R. H. Chovin, Joseph V. Morrison, and all other persons who now are or who hereafter shall or may become members of the said church, shall be, and they are hereby declared to be, a body corporate, by the name and style of the "Pipe Creek Baptist Church, of Lawtonville, Beaufort County, South Carolina," and by their said name shall have succession of officers and members and have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and by its corporate name to sue and be sued, plead and be impleaded, in any Court of this State, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient.

A. D. 1874.

Powers and  
privileges.

SEC. 3. This Act shall be taken and deemed a public Act and shall continue in force for a term of twenty years.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE TOWN OF WOODRUFF, IN THE COUNTY OF SPARTANBURG. No. 536.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Woodruff shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Woodruff, and its corporate limits shall extend one mile from the point where the Buncombe public road crosses the Georgia road in a direction due North, East, South and West, and shall include a square formed upon the extremities of lines so drawn.

Town of  
Woodruff in-  
corporated.Corporate  
limits.

SEC. 2. That said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the second Monday in May, 1874, and every year thereafter on the second Monday in May, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens; and A. B. Woodruff, Dr. D. D. Westmoreland, N. B. Davis, A. D. Chamblin and Jesse Leatherwood, or a majority of them, are hereby appointed Managers of the first election to be held for Intendant and Wardens aforesaid.


Officers.

Elections—  
when to be heldManagers of  
Election.

SEC. 3. That said corporation shall have the same powers and privileges, and be subject in every respect to the provisions of the

Provisions of  
charter of town  
of Ninety-Six  
to apply.



A. D. 1874.  charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 4. This Act shall be deemed a public Act and continue in force until repealed.

Approved March 14, 1874.

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NO. 537. AN ACT TO AUTHORIZE AND EMPOWER THE INTENDANT AND WARDENS OF THE TOWN OF YORKVILLE TO OPEN CERTAIN STREETS IN SAID TOWN.

Officers of town  
of Yorkville to  
open streets.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant and Wardens of the town of Yorkville be, and they are hereby, authorized and empowered to open such new streets in said town as in their judgment will best promote the interest and convenience of the citizens thereof, upon the same terms and conditions and in the same manner as is now provided by law for the opening of public highways by the County Commissioners of Counties.

Approved March 14, 1874.

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NO. 538. AN ACT TO INCORPORATE THE EDGEFIELD BRANCH RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John L. Addison, Lawrence Cain, John C. Sheppard, Paris Simkins, O. F. Cheatham, E. Keese, George A. Morgan, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Edgefield Branch Railroad Company, with all the rights, powers and privileges incident and pertaining to similar corporations.

SEC. 2. That the persons herein above named, or a majority of them, shall have power to open books at such time after the passage of this Act and at such places as they may deem proper for subscription to the capital stock of a railroad to be constructed from Edgefield Court House to some point on the Charlotte, Columbia and Augusta Railroad, to be determined by said company, and

they shall also have power to appoint one or more agents to canvass for and receive subscriptions to said capital stock. A. D. 1874.

SEC. 3. That the shares of said capital stock shall be twenty-five dollars each, and they may be subscribed to be paid in money, land or labor. Shares, value, how to be paid for.

SEC. 4. That whenever the sum of twenty thousand dollars shall have been subscribed to the capital stock of said railroad, it shall be the duty of the corporators herein above named, or a majority of them, to call a meeting of the stockholders at Edgefield Court House, after thirty days' public notice, to organize said company; and said stockholders shall then and thereafter have power to organize the said company by electing from among their number ten Directors, who shall, immediately after their election, choose one of their number for President of said company; and the term of office of the President and Directors of said company shall be one year and until their successors shall thereafter be elected. Manner of organization.

SEC. 5. That the capital stock of said company shall not exceed one hundred thousand dollars, and no stockholder shall incur any liability by reason of his being such stockholder beyond the amount of his stock in said company. Officers.

SEC. 6. That the capital stock shall be paid in at such times and in such installments as may be determined upon by said company after its organization; but individuals may make their subscriptions payable in such installments as may be agreed upon between themselves and the corporators herein above named or other agents of said company. Capital stock, amount of.

SEC. 7. That the townships of Wise, Pickens, Moss, Blocker and Grant, and any other township in Edgefield County, are hereby authorized to issue bonds to aid in the construction of said railroad to an amount not exceeding five per cent. of the assessed valuation of real and personal property of any one township. Capital stock, how to be paid in.

SEC. 8. That upon the request in writing of ten citizens in any of said townships, the corporators herein above named, or a majority of them, shall call a meeting of all the voters in said township at some central place in said township, or at Edgefield Court House for the townships of Pickens and Wise, to determine whether said townships will subscribe to the capital stock of said company, giving at least twenty days' public notice of the time and place of said meeting. Certain townships to issue bonds.

SEC. 9. That at any such meeting the voters shall organize the meeting by electing a Chairman and clerk, and the proceedings shall all be reduced to writing, read over and approved by said meeting, and signed and certified by the Chairman and clerk of the meeting. Manner of determining whether subscriptions shall be made.

Meetings—how to be organized.

A. D. 1874.

Proviso.

SEC. 10. That any meeting of the voters of any of said townships called and organized as above provided shall be authorized to subscribe to the capital stock of said company: *Provided*, That two-thirds of the voters present at such meeting vote for the resolution authorizing said subscription.

Bonds—what amounts to be issued in.

SEC. 11. That if any township shall so subscribe to the capital stock of said company, the said bonds shall be issued in amounts from \$100 to \$500, and be made payable in ten years from the date of said meeting, with interest at seven per cent., payable semi-annually, on coupons to be attached to said bonds, and said bonds shall be signed by the Chairman and clerk of the meeting authorizing their issue.

Bonds, registered list of, to be kept.

SEC. 12. That the Chairman and clerk of said meeting shall file a certified copy of the proceedings authorizing the issue of said bonds, and a full registered list of all bonds issued by such meeting, in the offices of the Clerk of the Court of Common Pleas, County Auditor and County Treasurer of Edgefield County, and each of said officers shall enter upon each of said bonds the date of registration in his office, and sign his name thereto, before said bonds shall be used.

Bonds to be delivered to company.

SEC. 13. That when said bonds are so ready for use, they shall be delivered to said company by the Chairman and clerk aforesaid, and said company shall issue certificates of stock for the same to such township.

Bonds, interest on, manner of raising money to pay.

SEC. 14. That the County Auditor or other officers authorized to assess the property of the County, and to enter the rate per centum to be collected upon the same, shall annually assess a rate per centum on the property of the citizens of any such township to pay the interest upon said bonds sufficient to raise the amount of the annual interest on the same, and no more, and the County Treasurer shall collect the same at the same time and in the same manner as the other taxes.

Coupons receivable for taxes.

SEC. 15. That the coupons upon said bonds shall be received by said Treasurer in payment of County taxes, and the taxes collected for and on account of said County, by said Treasurer, shall be paid out on said coupons, as rapidly as they may be collected by him, until all coupons due and presented are paid.

County Treasurer to perform certain duties.

SEC. 16. That it shall be the duty of said County Treasurer to make and file a report of all sums received and paid out by him on account of the taxes collected for interest on said bonds to the Clerk of the Court of Common Pleas for said County, ten days before each session of said Court, and exhibit to said Clerk his vouchers for said payments, and said Clerk shall certify on said report that he has examined said vouchers, and such reports shall be read



by said Clerk in open Court, during the session of said Court, under the direction of the presiding Judge. A. D. 1874.

SEC. 17. That the voters of any township may be assembled on the call of any ten citizens of the township, duly published for twenty days, giving time and place and object of the meeting, and the meeting organized as hereinbefore provided, to elect three persons to represent the stock of said township in any meeting of the stockholders of said company; and said representatives shall be owners of real estate residing in said township and elected by a two-third vote of the voters present at such meeting; and upon presenting a certificate, signed by the Chairman and clerk of such meeting, showing that they were duly elected and qualified, they shall be entitled to represent such township in the meeting of the stockholders to which they were elected.

Townships—  
how to be represented in  
meetings of  
stockholders.

SEC. 18. No person shall be eligible to the office of Director in said company who does not own five shares of the capital stock of the same; and no person shall be entitled to any compensation for representing a township at any meeting of the stockholders of said company.

Directors must  
own certain  
amount of  
stock.

SEC. 19. It shall be the duty of the President and Directors of said railroad company, and all officers of the same, to render an account of the affairs of the same to the stockholders at least once a year, and as often as they may be required by said stockholders; and the same shall be published in one or more newspapers of the State.

Officers to render annual  
account of condition of  
company.

SEC. 20. The President and Directors of said company shall not have power to contract any debt for said company until they shall have first been authorized by the stockholders in general meeting.

Officers not to  
contract debts  
unless authorized.

Approved March 14, 1874.

## AN ACT TO INCORPORATE THE CENTENARY CHURCH AND CAMP GROUND, OF MARION COUNTY, SOUTH CAROLINA. No. 539.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William B. Rowell, Sr., David Legette, B. Franklin Davis, Foster Brown, John B. Shackelford, Ashley S. Legette, Edward B. Smith, J. Edwin Stevenson, William B. Baker, Jr., and their successors in office, be, and they are hereby, incorporated and declared to be a body corporate, under the name and style of the Centenary Church and Camp Ground, of Marion County, South Carolina, and by that

Corporators.

Corporate  
name.



A. D. 1874. name and style shall have succession of officers and members and shall have a common seal.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of twenty-five thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue of force until repealed.

Approved March 14, 1874.

No. 540. AN ACT TO INCORPORATE THE TOWN OF SENECA CITY, IN THE COUNTY OF OCONEE.

Seneca City,  
town of, incor-  
porated.

Corporate  
limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Seneca City shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Seneca City, and its corporate limits shall extend one-half mile from the point of crossing of the Atlanta and Richmond Air Line Railway Company and the Blue Ridge Railroad, in a direction due North, East, South and West, and shall include a square formed upon the extremities of lines so drawn.

Officers.

SEC. 2. That said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the fourth Monday in March, 1874, and every year thereafter on the fourth Monday in March, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election

Elections—  
time of holding

Clerk of Court  
to appoint  
Managers.

under this Act, the Clerk of the Court of Common Pleas of Oconee County shall designate three suitable persons, citizens of said town, to act as Managers of the election; and that the Intendant and

Wardens for the time being shall annually appoint Managers to conduct each ensuing election. A. D. 1874.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13th, 1872. Provisions of charter of town of Ninety-Six to apply to Seneca City.

SEC. 4. This Act shall be deemed a public Act and continue in force until repealed.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE RAEMONT MANUFACTURING COMPANY, OF MARION COUNTY, SOUTH CAROLINA. No. 541.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Murdoch McRae, James McRae and John C. Sutherland, and such other persons as may become associated with them, and their successors, are hereby made and declared a body politic and corporate in law, under the name and style of the Raemont Manufacturing Company, for the purpose of spinning and manufacturing cotton or woolen fabrics, to be located in Marion County, with a capital stock of fifty thousand dollars, with authority to increase the same to one hundred thousand dollars, to be divided into shares of one hundred dollars each. Corporators.  
Corporate name.  
Capital stock.

SEC. 2. That the corporators herein named, or any two of them, shall be permitted to open books of subscription to the capital stock of said company at such time and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same; and when the sum of twelve thousand dollars shall be subscribed in *bona fide* subscription to said capital stock, the said corporators, or any two of them, shall file, in the office of the Secretary of State, their affidavit that such amount has been *bona fide* subscribed; and thereupon the persons who have subscribed to the stock of said company shall have three weeks' public notice, by advertisement in a newspaper or otherwise, the amount of capital subscribed and of the time and place when and where such stockholders shall meet to organize said company. Subscriptions to be received to capital stock  
Amount of stock subscribed to be published.

SEC. 3. That said company shall, at said meeting, be organized by the election of a President, Vice President and such number of Directors and other officers, for such term as the stockholders present Officers—election of.

A. D. 1874. may decide upon; and that annually thereafter the President and Directors so elected shall call together the stockholders for the purpose of electing officers of the corporation and for the transaction of such business relating to the interest of the company as they may deem fit.

Powers and  
privileges.

SEC. 4. That said company, when organized as herein provided, may establish by-laws for the usage and government of the company not repugnant to the laws of this State; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same; may sue and be sued, plead and be impleaded, in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of bodies corporate in this State. They shall also enjoy such special privileges and immunities as are now or hereafter may be conferred by law on similar manufacturing companies within this State.

SEC. 5. That whenever the said sum of twelve thousand dollars shall have been secured or paid into the capital stock of said company, it shall be authorized to commence business as a manufacturing company under this charter.

SEC. 6. That this Act shall be deemed a public Act and remain in force for the term of twenty-one years.

Approved March 14, 1874.

No. 542. AN ACT TO AUTHORIZE P. T. SMITH TO BUILD A WHARF AT GARDNER'S BLUFF, IN MARLBORO COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. T. Smith be, and he is hereby, authorized to build a wharf at Gardner's Bluff, on the Pee Dee River.

P. T. Smith  
to build wharf.

SEC. 2. That the franchise herein granted shall be vested in the said P. T. Smith, his heirs, executors, administrators and assigns, for a term of twenty-one years.

Approved March 14, 1874.

No. 543. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE ANDERSON, AIKEN, PORT ROYAL AND CHARLESTON RAILROAD COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Anderson, Aiken, Port Royal and Charleston Railroad Company," approved February 26, 1873, be, and the same is hereby, amended by adding the following, to wit: Among the list of incorporators insert the names "E. M. Sumter" and "B. W. Middleton."

A. D. 1874.

Additional corporators.

SEC. 2. That the said Anderson, Aiken, Port Royal and Charleston Railroad Company be, and they are hereby, authorized and empowered to construct the main line of said railroad to or from any place mentioned in its charter, by the most practicable route, through the Counties of Barnwell, Beaufort and other Counties therein mentioned to Port Royal harbor, and to construct such other branch roads to points named in said charter as may be deemed desirable.

To construct road through certain Counties to Port Royal.

SEC. 3. That it shall be lawful for the said company to connect and consolidate their railroad with the Port Royal Railroad or any other road on the line of said Anderson, Aiken, Port Royal and Charleston Railroad Company, or its branches, at such point as may be declared most practicable.

SEC. 4. That the said company be, and they are hereby, authorized and empowered to extend the main line of said railroad through the Counties of Anderson and Pickens, by the most practicable route, to the Richmond and Atlanta Air Line Railroad, and have power to connect and consolidate with said Richmond and Atlanta Air Line Railroad Company; also to construct the main line of said Anderson, Aiken, Port Royal and Charleston Railroad to the North Carolina line, at or near Sassafras Gap, and to connect or consolidate with any other railroad company leading from the West.

Main line of road may be extended.

May consolidate with other roads.

SEC. 5. That it shall be lawful for any County or town interested in the construction of the said Anderson, Aiken, Port Royal and Charleston Railroad Company, by a majority of the voters of such County or town, to subscribe to the capital stock of said company, or of any company with which it may consolidate or unite, such sum, not exceeding five per cent. of the assessed valuation of such County or town, payable in such manner as the proper authorities of such County or town shall determine and authorize; and in all meetings of stockholders the County Commissioners of the respective Counties and the Town Councils of the respective towns shall appoint some person to represent the stock of their respective Counties and towns.

Counties and towns may subscribe to capital stock of company.

SEC. 6. That it shall be lawful for the corporators named in said charter to vote by proxy or in person, and that it shall be the duty of the first persons named in the list of such corporators to call

Corporators may vote by proxy.



A. D. 1874. the first meeting and advertise the same in such newspapers as may be published in the Counties through which the said road passes.

Company  
may construct  
either broad or  
narrow gauge  
road.

SEC. 7. That the said company be, and they are hereby, authorized and empowered to construct either a broad or narrow gauge railroad, as they may deem desirable.

SEC. 8. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

No. 544. AN ACT TO AUTHORIZE AND REQUIRE CERTAIN JURY COMMISSIONERS TO PREPARE JURY LISTS FOR THE YEAR 1874, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Jury Com-  
missioners to  
prepare jury  
lists. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Jury Commissioners who have failed to prepare jury lists for their respective Counties for the year 1874 during the month of January last past, as required by law, be, and they are hereby, authorized and required to prepare such lists on or before the first day of April in said year.

All jurors to  
be drawn from  
lists so pre-  
pared. SEC. 2. That from the lists so prepared all grand and petit jurors required by law for said year 1874 shall be drawn, summoned and returned in the same manner now prescribed by law.

Section 1,  
Chapter CXI,  
of General  
Statutes  
amended. SEC. 3. That Section 1 of Chapter CXI, Title II, of Part III of the General Statutes be, and the same is hereby, amended as follows, to wit: Insert between the words "Commissioners" and "shall," occurring in the fourth line of said Section, the words "or a majority of the same."

Conflicting  
Acts repealed. SEC. 4. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

No. 545. AN ACT TO CONFER THE RIGHTS OF LEGITIMACY ON CHARLOTTE SULLIVAN AND JOHN CRIM.

Right of le-  
gitimacy con-  
ferred on Char-  
lotte Sullivan. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charlotte Sullivan, formerly Charlotte Washington, begotten of the body of

Minerva Washington, of Greenville County, be, and she is hereby, invested with all the rights and privileges of a legitimate child, in the same manner and to the same extent as if she had been born in lawful wedlock.

A. D. 1874.

SEC. 2. That John Crim, begotten of the bodies of D. Brady and Polly T. Crim, of Orangeburg County, be, and he is hereby, invested with all the rights and privileges of a legitimate child, in the same manner and to the same extent as if he had been born in lawful wedlock, and that his name be changed from John Crim to that of John Brady, and his father, D. Brady, takes charge of his person and provide for his education and support.

Right of legitimacy conferred on John Crim.

Name changed to Brady.

Approved March 14, 1874.

## AN ACT TO INCORPORATE THE SEA ISLAND RAILROAD COMPANY. No. 546.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from or near the mouth of Station Creek, on St. Helena Island, in the County of Beaufort, to traverse portions of said island of St. Helena, Ladies' and Port Royal Islands, and to form a junction or connection with the Port Royal Railroad at a point not exceeding five miles North and West of the town of Beaufort, a charter, conferring all the rights and privileges incidental to the same, be, and the same is hereby, granted to and vested in Robert Smalls, Hastings Gantt, Samuel Greene, John Hume, William E. Towne, Henry G. Judd, W. H. Paten, N. B. Myers and their associates; and whenever a company shall have been formed in accordance with the conditions hereinafter expressed and prescribed, it shall be known by the name of the Sea Island Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.

Corporators.

Corporate name.

SEC. 2. That the capital stock of said company shall be one million five hundred thousand (1,500,000) dollars, in shares of fifty (50) dollars each; and for the purpose of raising the said capital stock, books of subscription may be opened at such places and times as may be considered for the best interests of said corporation, under the direction of the incorporators, such places and times of receiving subscriptions to be determined by a majority of the said incorporators; and due notice of the opening of such books for subscriptions shall be published in at least one newspaper in each of

Capital stock, amount of.

Capital stock, manner of raising.

A. D. 1874.

the Counties of Beaufort and Charleston, and said books for subscription shall be kept open for the period of one month, and longer, if the majority of the incorporators shall so determine. Whenever the sum of fifty thousand dollars shall have been subscribed, any four of the said incorporators shall give public notice, for at least two weeks, of the time and place of meeting for the purpose of organization.

Rights conferred upon Port Royal Railroad Company to extend to Sea Island Railroad Company.

SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, with all the rights, powers and privileges conferred upon the Port Royal Railroad Company by an Act entitled "An Act to charter the Port Royal Railroad Company," ratified 21st of December, A. D. 1857.

Company may mortgage its property.

SEC. 4. That said Sea Island Railroad Company shall have power to mortgage its property, and issue bonds, at such rates of interest, and upon such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors may deem necessary or expedient: *Provided*, That the issue of bonds shall in no case exceed the amount of one million five hundred thousand dollars of its capital stock.

May construct bridges. Proviso.

SEC. 5. That the said company shall have the right to construct and maintain bridges across navigable rivers: *Provided*, That good and sufficient draws shall be built at such crossings, to be opened for the passage of vessels whenever the same shall be necessary.

Taxes.

SEC. 6. The said company shall be liable to the payment of all taxes and assessments which may be levied upon their corporate estate pursuant to the laws of this State.

SEC. 7. Said railroad, wharves and warehouses shall be commenced within five years, and completed within ten years from and after the passage of this Act.

May construct wharves and warehouses.

SEC. 8. That said Sea Island Railroad Company be authorized to construct wharves and warehouses at Station Creek.

SEC. 9. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

#### NO. 547. AN ACT IN RELATION TO THE SERVICE OF LEGAL PROCESS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

Fees not to be allowed to any persons other than officers or their deputies.

General Assembly, and by the authority of the same, That no fee shall be allowed to any person for the service of any summons, complaints, answers, demurrers, subpoenas and every other

legal process issuing in the Courts of Common Pleas and Courts of Probate of this State not made by the Sheriff of the County where such process is served or his legally-constituted deputies. Any person violating the provisions of this Act shall be liable to pay ten-fold to the party aggrieved, to be recovered by suit in any Court of competent jurisdiction.

A. D. 1874.

Persons violating provisions of this Act to pay ten-fold to parties aggrieved.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Conflicting Acts repealed.

Approved March 14, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF ANDERSON." No. 548.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to renew and amend the charter of the town of Anderson," approved March 9th, 1871, be amended as follows, to wit: Insert between the word "town" and the word "the," in the twenty-fourth line of Section 9, the words "and on personal property owned and held within the said town, including bonds and stocks of banks and insurance companies and other corporations." The following to be Section 22: "In the assessment of all property in said town, it shall be the duty of the Clerk of Council of said town to deliver to or leave at the residence or place of business of each person within the corporate limits of said town a printed form or statement of return for taxation, with a proper form of oath thereto, and shall, at the time he delivers such forms, receive from such person the statement of property for taxation required by this Act, verified by the oath of such person; but if the person be not ready, nor desire to make such statement at the time of receiving such form, he shall make up such statement and deliver the same within twenty days; and in case of failure so to do, shall be held to have neglected to list, and shall be assessed and returned by the Clerk of Council accordingly; and if the Clerk of Council shall fail to deliver the form aforesaid to any person, such person shall not thereby be excused from listing their property for taxation, but in such case, if they make and swear to their statement and deliver the same to the Clerk of Council at any time within ten days from the expiration of the time required by this Section, the Clerk of Council shall not return them as neglecting to list. And that in every election for Wardens of said town, every qualified voter shall, if he so desire, be

Tax on personal property, etc.

Clerk of Council to furnish blank returns for taxation.

Returns to be made under oath.

Upon failure of property holder to make returns, said Clerk shall do so.

Additional time for making returns.



A. D. 1874.

Electors may  
vote under sys-  
tem of cumu-  
lative voting.

"Hereafter"  
inserted.

"August" in-  
serted in lieu  
of "Septem-  
ber."

allowed to vote under the system of cumulative voting, that is, in such ratio as he may see fit; that is, he may cast the whole number of his votes for one of said Wardens, or he may cast three votes for one and one vote for another of said Wardens, or two votes for one and two votes for the other of said Wardens. That between the words "shall" and "be," in the fourth line of Section 3 of said Act, the word "hereafter" be inserted; and that on the fifth line of said Section the word "September" be stricken out and the word "August" be substituted in lieu thereof, so that it may read: "The said Intendant and Wardens shall hereafter be elected on the second Monday in August."

SEC. 2. That Section 22 be made Section 23 of the amended Act.

Approved March 14, 1874.

No. 549. AN ACT TO ESTABLISH CERTAIN PUBLIC ROADS IN THE COUNTY OF GEORGETOWN.

County Com-  
missioners to  
establish and  
keep certain  
roads in repair.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Georgetown County be, and they are hereby, authorized and required to open, establish and keep in repair a public road, commencing at or near Union Church, and running near the Good Hope Church, to Yawhaney Ferry, in said County. Also, to open, establish and keep in repair a public road, commencing at or near Britton's Ferry, Pee Dee, and running to or near Choppee, on Black River, thence through Dunbar Neck to the public road in said County. And also to repair the bridge over Snow Mill Creek and keep the same in good repair.

Approved March 14, 1874.

No. 550. AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO ERECT A POOR HOUSE IN SAID COUNTY.

County Com-  
missioners to  
erect poor  
house.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized and required to erect a poor house within the said

County of Charleston, at such point as they may deem necessary : *Provided*, That such poor house shall not exceed in cost of erection four thousand dollars: *And provided, further*, That said poor house shall be open to all classes of the indigent poor of said County.

A. D. 1874.

Cost of same.  
Open to all  
classes.

SEC. 2. That said County Commissioners shall advertise in one or more papers of Charleston County for proposals to erect the said poor house, and, after due notice, of not less than twenty days, the bids for the same shall be opened, and the lowest bid therein proposed, if properly secured by two good and sufficient securities in double the amount of the contract so to be given, and filing the same with the Clerk of the Court for said County, they shall be awarded the contract; and the County Commissioners of said County are hereby required to cause the building of said poor house to be commenced within three months after the passage of this Act; and in case of their failure so to do, or neglect of any of the provisions hereof, said County Commissioners shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined and imprisoned at the discretion of the Court.

Proposals.

Contract to be  
awarded to  
lowest bidder.

Building—  
when to be  
commenced.

Penalty for  
failure.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

# AN ACT TO AUTHORIZE AND EMPOWER CHAMPION DYE, No. 551.

HORACE WHITE AND OTHERS TO ERECT AND KEEP IN REPAIR A GATE ACROSS THE PUBLIC HIGHWAY LEADING FROM CAMDEN COURT HOUSE TO LIBERTY HILL, IN KERSHAW COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Champion Dye, Horace White and others are hereby empowered to erect and keep in repair a gate across the public highway leading from Camden Court House to Liberty Hill at or about a point known as Beaver Creek, situated in Kershaw County.

Champion Dye  
and others may  
erect certain  
gates.

SEC. 2. That should they fail to keep the gate in repair after its erection their right of keeping said gate across the public highway shall be declared void on proof of the same.

Penalty for  
failure to keep  
same in repair.

Approved March 14, 1874.

A. D. 1874.

## AN ACT TO INCORPORATE THE ENTERPRISE GAS LIGHT COMPANY OF CHARLESTON, S. C.

No. 552.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob

Corporators. Henry Williman, W. A. Grant, A. O. Jones, S. E. Gaillard, W. R. Jervey, W. H. Jones, R. B. Anderson, J. Woodruff, W. F. Paddon, and their associates and successors, shall be, and they are hereby, incorporated and made and declared a body politic and corporate,

Corporate name. in deed and in law, by the name and style of the Enterprise Gas Light Company of Charleston, South Carolina, and, as such body

General powers. politic and corporate, shall have power to make, use, have and keep a common seal, and the same to alter at will; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members conformably to such by-laws; and to sue and be sued, plead and be impleaded, in any of the Courts of this State, and to have, use and enjoy all other rights and be subject to all other liabilities which are incident to bodies corporate.

SEC. 2. That the said corporation shall have full power and

May manufacture and sell gas. authority to manufacture, make and sell gas, to be made of rosin, coal, oil, turpentine or other material, and to furnish such quantities of gas as may be required in or near the city of Charleston for lighting the streets, stores, manufactories and buildings there situate

May lay pipes, etc., through the streets of Charleston. and for other purposes; to lay pipes or other conductors for conducting gas through the streets, alleys, lanes and squares of the city of Charleston aforesaid, or its vicinity, and also to erect such buildings and hold such real and personal estate as may be requisite or necessary to carry on the business aforesaid. And to effect such purposes shall have full power, by sale or otherwise, to amalgamate,

May unite or consolidate with companies doing similar business. consolidate and unite with any other company incorporated for similar purposes; and such other company shall, on such amalgamation, consolidation and union, by purchase or otherwise, which it is hereby authorized to make, be invested with the same powers and clothed with the same duties as the company hereby incorporated.

Capital stock, how to be raised. And the said corporation shall have power to raise by subscription, in shares of ten dollars each, a capital of five hundred thousand dollars, with the privilege of increasing the same to one million

When may commence operations. dollars; and the said corporation shall or may go into operation, and the rights, privileges and franchises hereby granted shall attach, whenever fifty thousand dollars of the capital aforesaid shall be paid in, and an oath or affirmation thereof shall have been made by the President, Treasurer and a majority of the Board of Di-



rectors of the said company, and recorded in the office of the Secretary of State, at Columbia, and shall have been published in one of the newspapers of said city. A. D. 1871.

SEC. 3. That the said shares in the capital stock aforesaid of the said corporation shall be deemed personal estate and be transferable only on the books of the said corporation. And no part of the said capital stock shall, at any time, or under any pretense whatever, be loaned to or divided among the stockholders; nor shall the said capital be withdrawn or divided among the stockholders until all the liabilities of the said corporation have been lawfully paid; nor shall any dividend be at any time declared, except of the clear earnings and profits of the said company over and above the capital. Shares personal property.  
Capital stock not to be loaned to stockholders.

SEC. 4. That if the proprietor of any share shall refuse or neglect to pay any installment assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company may, by order of the Board of Directors thereof, sell, by public auction, a sufficient number of any shares held by such defaulter to pay all installments then due by him, together with the necessary and incidental charges; and the Treasurer shall give notice of the time and place of such sale, and of the sum due on each share, by advertising the same for two successive weeks previous to such sale in some newspaper of the city of Charleston; and a bill of sale of the shares so sold shall be made by the Treasurer of the company to the purchaser thereof, who shall thereon be entitled to have the same transferred to him on the books of the company, and shall be liable for all installments on the stock which he may have purchased. Sale of shares of delinquent stockholders.

SEC. 5. That the said Jacob Henry Williman, W. A. Grant, S. E. Gaillard, W. R. Jervey and Richard B. Anderson may open books and take subscriptions for the capital stock of the said company in such manner as they may deem expedient; and whenever such subscription shall amount to the sum of fifty thousand dollars, the stockholders, having had two weeks' notice in writing, or in one of the public newspapers in the city of Charleston, may meet and proceed to elect a President, Treasurer and Board of Directors, or such other officers as they may deem necessary for organizing the said company and conducting the affairs thereof; and the said Board of Directors shall continue in office until their successors shall have been duly elected; and, until otherwise provided by the by-laws of the said corporation, shall have power to dispose of the residue of the capital stock of the said company not subscribed for, in such manner and at such times as they may deem fit; and at the said election of officers, and at all other meetings of the said com- Books of subscription.



A. D. 1874.

pany, every stockholder shall be entitled to one vote for every share held by him.

Annual  
statement of  
Directors.

SEC. 6. That the Directors shall submit to the stockholders, annually, a written statement, under oath or affirmation of the Treasurer of the corporation, setting forth the amount of the capital stock paid in and of the general assets of the company, and also the amount of all existing debts and liabilities of said company.

Penalty for  
injuring prop-  
erty of com-  
pany.

SEC. 7. That any person willfully injuring, or causing to be injured, any of the property of said corporation shall forfeit and pay to the said corporation treble the amount of damages sustained by such injury, to be recovered by action in any Court having cognizance thereof, and shall be considered guilty of a misdemeanor; and, being thereof convicted, shall be punished by fine not exceeding one thousand dollars or imprisonment not exceeding two years, or both, in the discretion of the Court.

SEC. 8. That this Act shall be deemed a public Act and continue in force for the term of twenty years.

Approved March 14, 1874.

No. 553. AN ACT TO AUTHORIZE D. F. APPLETON TO ERECT A WHARF OR WHARVES ON ANY PROPERTY OWNED BY HIM IN THE TOWN OR CITY OF PORT ROYAL.

D. F. Apple-  
ton to build  
wharf and col-  
lect wharfage.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. F. Appleton be, and he is hereby, authorized and empowered to build a wharf or wharves, to deep water, on any property owned by him in the town or city of Port Royal, and to collect the usual rates of wharfage on the same.

SEC. 2. This Act shall be taken and deemed a public Act and shall remain in force for a period of ninety years.

Approved March 14, 1874.

No. 554. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF AIKEN COUNTY TO OPEN AND KEEP IN REPAIR A PUBLIC ROAD RUNNING FROM JACKSON STATION TO THE AUGUSTA ROAD.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commission-

ers of Aiken County be, and they are hereby, authorized and directed to open and keep in repair a public road running from Jackson Station to the Augusta road.

Approved March 14, 1874.

A. D. 1874.

County Commissioners to open public highway.

# AN ACT TO INCORPORATE THE CAMDEN JOCKEY CLUB.

No. 555.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following persons, John Cantey, T. H. Clark, John B. Moore, R. C. Richardson, Johnson Hagood, Edward Cantey, E. J. Dunlap, and all other persons who are now or may hereafter become members or stockholders of the association known as the "Camden Jockey Club," be, and are hereby, constituted a body politic and corporate, by the name and style of the Camden Jockey Club.

Incorporators.

Corporate name.

SEC. 2. That the said association by its name, the Camden Jockey Club, shall have succession of officers and members according to its by-laws, and shall have power, respectively, to make by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State; and to have and enjoy every right incident to corporations.

Powers and privileges.

SEC. 3. That they are also empowered to retain, possess and enjoy all such property as they may now, respectively, be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held, or stock invested, shall in no case exceed twenty thousand dollars.

May acquire and convey real estate.

SEC. 4. That this Act shall be and continue of force for the term of twenty years, and from thence until the adjournment of the next ensuing session of the Legislature.

Approved March 14, 1874.

# AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

No. 556.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Beaufort shall have power and authority to assess and

Tax upon personal property.

A. D. 1874.

collect a tax upon personal property as provided in the Constitution of this State; and all taxes so assessed and to be collected under any ordinance of said town, for the year 1874, shall be deemed valid and have full force in law.

Judicial  
powers.

SEC. 2. That the Intendant or acting Intendant of said town is hereby vested with all the power and jurisdiction given to Trial Justices of this State, and may hold Court for the trial of violations of town ordinances, and may punish by fine or imprisonment, in his discretion, or both.

Approved March 14, 1874.

No. 557. AN ACT TO INCORPORATE THE PALMETTO LAND AND LUMBER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, Ira D. Sturgis, Mark Barker, Henry W. Bradbury and E. Perry Butts, and their associates and successors, are hereby constituted, made and created Corporators. Corporate name. a body politic and corporate, by the name of the "Palmetto Land and Lumber Company," and by that name may sue and be sued, plead and be impleaded, and shall be entitled to all proper remedies at law and equity, and enjoy all the privileges incident to similar corporations and manufacturing companies.

Business of  
company.

SEC. 2. The business of said company shall be the manufacture of lumber, and they are hereby authorized to carry on said business in all its branches; to purchase, hold, sell and convey real estate; may erect mills, maintain booms, and generally do all things necessary for the purpose of carrying on the business of manufacturing lumber as aforesaid.

Capital stock.

SEC. 3. Said company may fix the amount of its capital stock, and may increase it from time to time, not exceeding, however, two hundred thousand dollars in all. Said corporation may have and use a common seal, which they may alter at pleasure.

Meeting and  
organization.

SEC. 4. The first meeting of said company may be called by a notice, signed by one of the corporators, and forwarding a copy to each of the others, stating the time and place of the meeting, twelve days, at least, before the time specified, or any three of said corporators may meet and organize said company.

SEC. 5. This Act shall take effect when approved, and shall continue to be in force for twenty years, and until the meeting of the first General Assembly thereafter.

Approved March 14, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY."

A. D. 1874.

No. 558.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County, be amended by striking out, on line 16, all after the word "line" down to "where," on the eighteenth line, and insert the following: "by A. J. Weathersbee's Old Mill; thence in line, not to exceed one and a quarter of a mile from the present line on the Savannah River; thence up the Savannah River to the initial point at the mouth of Fox's Creek." And the County Commissioners of Aiken County are hereby authorized to employ and pay one competent surveyor to run out and properly mark and define the said boundary, as altered by this Act.

Boundary line changed.

County Commissioners may employ surveyor to lay out boundary line.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 14, 1874.

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AN ACT TO RENEW THE CHARTER OF SOUTH CAROLINA LODGE, No. 559.  
No. 1, I. O. O. F., OF THE CITY OF CHARLESTON.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of South Carolina Lodge, No. 1, I. O. O. F., be, and the same is hereby, renewed, and shall continue in force until amended, altered or repealed; and that all acts done by the said South Carolina Lodge, No. 1, I. O. O. F., since the expiration of its charter, in conformity thereto, shall be, and the same are hereby declared to be, as good and valid, to all intents and purposes, as if the same had been done before the expiration of its charter.

Charter of South Carolina Lodge renewed

Acts done since expiration of charter validated.

Approved March 14, 1874.



A. D. 1874. AN ACT TO INCORPORATE THE GOWENSVILLE SEMINARY, AT  
 No. 560. GOWENSVILLE, GREENVILLE COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas J. Earle, George W. Holtzelaw, William A. Mooney, Berryman Stewart, G. B. Reid, be, and the same are hereby, incorporated and declared to be a body corporate, by the name and style of the "Trustees of the Gowensville Seminary," and by that name and style shall have succession of officers and members and shall have a common seal.

Corporate name.

Powers and privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real and personal estate, not exceeding in value the sum of thirty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court in this State; and to make such rules and by-laws, not repugnant to law, as it may deem necessary and expedient, and as shall from time to time be agreed upon by its members or a majority of them.

Approved March 14, 1874.

No. 561. AN ACT TO AUTHORIZE AND EMPOWER THE APPRENTICES' AND MINORS' LIBRARY SOCIETY, OF CHARLESTON, TO UNITE WITH AND FORM A PART OF THE CHARLESTON LIBRARY SOCIETY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall and may be lawful for the Apprentices' and Minors' Library Society, of Charleston, to unite with and form a part of the Charleston Library Society at such time and upon such terms as may be agreed upon by and between the said two corporations, and under such union to be known by the corporate name of the Charleston Library Society, with all the corporate rights, privileges and authorities belonging to the Charleston Library Society.

Apprentices' and Minors' Library Society may unite with Charleston Library Society.

May transfer its property to said society.

SEC. 2. That upon such union being agreed upon and made, it shall and may be lawful to and for the Apprentices' and Minors' Library Society, of Charleston, to convey and transfer all of its property, real and personal, to the Charleston Library Society, to be held and used by it for the united corporations:

Approved March 14, 1874.

AN ACT TO ALLOW HON. THOMPSON H. COOKE, EXECUTOR OF DANIEL ZEIGLER, TO RECOVER CERTAIN LANDS SOLD FOR TAXES THROUGH THE DEFAULT OF OTHERS. A. D. 1874.  
No. 562.

Whereas certain lands belonging lately to the estate of Daniel Zeigler, which were in the possession of one John M. Pennington, under a mortgage deed, have been sold for taxes by reason of the default of said Pennington, and purchased by one William Price, son-in-law of said Pennington; therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Honorable Thompson H. Cooke, executor of the last will and testament of Daniel Zeigler, deceased, shall have the right to recover certain lands, consisting of a plantation containing five hundred and eighty-six (586) acres, more or less, comprising four several tracts, lying and situate in the County of Richland, on the waters of the Congaree River, and bounded on the South and West by said river, and on the North by lands of William W. Braddy, which were conveyed by the said Daniel Zeigler on the 26th day of February, A. D. 1872, to John M. Pennington, and, to secure the purchase money of the same, the said John M. Pennington, on the same day, executed a mortgage of said lands, and entered into possession thereof, which lands, by reason of the failure of said John M. Pennington to pay the taxes due thereon, while the same were in his possession, were sold by the County Auditor of Richland County, on the 7th day of May, A. D. 1873, for taxes, and purchased by one William Price, the son-in-law of the said John M. Pennington, and are now held and claimed by him. T. H. Cooke  
may recover  
certain lands.

SEC. 2. That the said Thompson H. Cooke, as executor aforesaid, shall have the right, upon the repayment by him to the said William Price of the taxes, costs and expenses paid by the said William Price, and the legal interest thereon from the time of said payment, to the immediate possession of the land described in the first Section of this Act, and all the right and title of the said William Price to said land, under the tax sale aforesaid, upon such repayment, shall pass to the said Thompson H. Cooke, executor, as aforesaid, any particular right claimed by the said William Price under any tax title executed by any officer of this State to the contrary notwithstanding. When entitled to immediate possession.

Approved March 14, 1874.

A. D. 1874. **AN ACT TO PROVIDE FOR THE TRANSFER TO THE OFFICERS OF THE COURTS OF AIKEN COUNTY ALL PROCESSES AND OTHER PAPERS RELATING TO SUITS OR PROCEEDINGS IN SAID COUNTY, BEGUN IN ANY PORTION OF THE COUNTIES ORIGINALLY CONSTITUTING SAID COUNTY WHICH HAVE BECOME PART THEREOF.**

Transfer of certain papers to Clerk of Court and Probate Court of Aiken County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerks of the Circuit Courts and the Judges of Probate of the Counties of Barnwell, Edgefield, Lexington and Orangeburg shall forthwith transfer to the Clerk of the Circuit Court for the County of Aiken, and to the Judge of the Probate Court thereof, all processes and other papers belonging or in any wise appertaining to suits or proceedings commenced in the respective Courts of said Counties, wherein the defendants reside in those portions of said Counties now separated therefrom, and constituting the County of Aiken, and the same shall be as valid as if commenced in, or made returnable to, the Courts of the County of Aiken.

Penalty for failure so to do.

SEC. 2. Any Clerk or Judge of Probate of any of the Counties named in the first Section of this Act who shall fail or neglect, for one month after demand by the Clerk of the Circuit Court or Judge of Probate of the County of Aiken, to perform the duties herein enjoined shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding one thousand dollars, or imprisoned not exceeding one year, in the discretion of the Court.

Approved March 14, 1874.

No. 564. **AN ACT TO INCORPORATE THE YOUNG SONS OF HONOR, OF THE FRIPPE POINT, OF ST. HELENA ISLAND, SOUTH CAROLINA.**

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Washington, Cuffy Chisolm, March Aiken, Aleck Richardson, Peter Watson, Jr., January Green, David Simmons, William White, Lot Richardson, Robert White, Prince Jenkins, their successors in office and associates, be, and they are hereby, made and declared a body politic and corporate, under the name and style of the "Young Sons of Honor, of the Fripp Point, of St. Helena Island, South Carolina," and by that name and style shall have a succession of

Corporate name.

officers and members, and shall have a common seal, the same to change and alter at will.

A. D. 1874.

SEC. 2. That said corporation shall have power to purchase, receive and hold any real or personal property not exceeding in value thirty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of competent jurisdiction in this State, and make such rules and by-laws, not repugnant to the laws of this State, as they may deem necessary and expedient.

Powers and  
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act and continue in force until repealed.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE CHESTER LAND PURCHASING ASSOCIATION, OF CHESTER, CHESTER COUNTY, SOUTH CAROLINA. No. 565.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dublin Walker, Prince Young, Burrell Hemphill, Jefferson Jourdan, James White, Washington Lindsey, Major Simms, Randall Brown, William Brown, James Reid, Thomas Gibbs, together with other persons who now are or hereafter may be associated with them, be, and they are hereby, declared a body corporate, under the name and style of the Chester Land Purchasing Association, of Chester, Chester County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporators.

Corporate  
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as it may be considered necessary and expedient.

May acquire  
and convey  
real estate.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 14, 1874.



A. D. 1874.

## AN ACT TO PROVIDE A FENCE LAW FOR ANDERSON COUNTY.

No. 566.

Election to  
decide upon  
fence law.

If a majority  
vote in favor,  
County Commis-  
sioners to  
erect fence on  
boundary line.

May enter  
upon any lands  
for that pur-  
pose.

Owners of  
stock to con-  
fine same by  
good fence.

Drivers to  
prevent stock  
from entering  
lands of others.

Employers to  
furnish labor-  
ers with pas-  
turage.

Notice to  
persons open-  
ing gates to  
close same.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Anderson County be, and they are hereby, authorized and required, upon due and legal notice, to submit to the qualified voters of said County, at the next general election to be held in said County, the question of "fence" or "no fence," the same to be voted upon by a ballot written or printed "yes" or "no."

SEC. 2. Should a majority of the qualified voters of said County casting their ballots on the said question vote "yes," then it shall be the duty of said County Commissioners to forthwith proceed to have erected and keep in repair on the boundary line between said County of Anderson and the Counties of Abbeville, Oconee and Pickens a good and substantial rail fence, of not less than twelve rails in height, properly staked and ridged; and at each and every place that a public road leading from either of said Counties above named crosses the boundary line between either of the above named Counties and Anderson County, to erect, or cause to be erected, a good and sufficient gate.

SEC. 3. That for the purpose of the proper construction of the fence provided for in the foregoing Section of this Act, the said County Commissioners are hereby authorized and empowered to enter upon the lands of any owner thereof and to erect such fences thereon without being guilty of any trespass whatever.

SEC. 4. That it shall be the duty of each and every person owning or keeping any stock, such as cattle, horses, mules, sheep or hogs, or other stock, to confine the same by such a good and sufficient fence as shall prevent them from entering upon the lands of another.

SEC. 5. It shall be the duty of any person or persons driving stock, such as cattle, horses, mules, sheep or hogs, through the public roads of said County to so herd and drive the same that they shall not be allowed to enter upon or work injury to the lands or crops of the citizens of said County.

SEC. 6. It shall be the duty of each and every employer in the said County to furnish each and every employee hired by him good pasturage for the stock owned by such employee, not exceeding two head of cattle to every field hand as amount.

SEC. 7. It shall be the duty of the County Commissioners of the said County of Anderson to keep duly placarded on said gate that each and every person opening the said gate shall be required to close and securely fasten the same, and every person so opening such gate is hereby required to close and securely fasten the same.

SEC. 8. That any person or persons failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be fined in a sum not less than fifty dollars nor more than five hundred dollars, or imprisonment for a term not less than thirty days nor more than one year, in the discretion of the Court.

A. D. 1874.

Penalty for  
violation of  
these provis-  
ions.

SEC. 9. That all Acts or parts of Acts inconsistent with or in any way conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

AN ACT TO CHANGE THE TIME OF HOLDING CIRCUIT COURTS No. 567.  
IN THE SEVERAL COUNTIES THEREIN NAMED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Courts of General Sessions and Common Pleas for the several Counties hereinafter named shall be held at the times following, respectively, instead of the time now fixed by law, that is to say: The Court of General Sessions at Orangeburg, for the County of Orangeburg, the third Monday of January, third Monday of May, and the third Monday of October; and the Court of Common Pleas at Orangeburg, for the County of Orangeburg, on the first Wednesday after the third Monday in January,, the first Wednesday after the third Monday in May, and the first Wednesday after the third Monday in October.

Time for  
holding Court  
in Orangeburg.

SEC. 2. The Court of General Sessions at Lancaster, for the County of Lancaster, on the first Monday of February and the third Monday of May and October; and the Court of Common Pleas at Lancaster, for the County of Lancaster, on the first Wednesday after the first Monday of February, and on the first Wednesday after the third Monday of May and October.

In Lancaster.

Approved March 14, 1874.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF CHESTER COUNTY TO BUILD A BRIDGE ACROSS ROCKY CREEK. No. 568.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

A. D. 1874.  
 Bridge across  
 Rocky Creek.

County Commissioners of Chester County be, and they are hereby, authorized and required to build a bridge across Rocky Creek, at or near Mrs. Gooch's place, on the Lancaster road.

SEC. 2. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge.

Approved March 14, 1874.

No. 569. AN ACT TO FIX THE TIME FOR HOLDING COURTS IN THE SEVENTH CIRCUIT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Circuit Courts in the Seventh Circuit shall be held as follows:

1. The Court of General Sessions at Newberry, for the County of Newberry, on the second Monday of January, the fourth Monday of March, and the first Monday of July; and the Court of Common Pleas at Newberry, for the County of Newberry, on the first Wednesday after the second Monday of January, the first Wednesday after the fourth Monday of March, and the first Wednesday after the first Monday of July.

Time for  
 holding Court  
 in Newberry.

2. The Court of General Sessions at Laurensville, for the County of Laurens, on the fourth Monday of January, third Monday of May, and the fourth Monday of September; and the Court of Common Pleas at Laurensville, for the County of Laurens, on the first Wednesday after the fourth Monday of January, the first Wednesday after the third Monday of May, and the first Wednesday after the fourth Monday of September.

In Laurens.

3. The Court of General Sessions at Unionville, for the County of Union, on the second Monday of February, first Monday of June, and the second Monday of October; and the Court of Common Pleas at Unionville, for the County of Union, on the first Wednesday after the second Monday of February, the first Wednesday after the first Monday of June, and the first Wednesday after the second Monday of October.

In Union.

4. The Court of General Sessions at Spartanburg, for the County of Spartanburg, on the fourth Monday of February, the third Monday of June, and the fourth Monday of October; and the Court of Common Pleas at Spartanburg, for the County of Spartanburg, on the first Wednesday after the fourth Monday of February, the first Wednesday after the third Monday of June, and the first Wednesday after the fourth Monday of October.

In Spartan-  
 burg.



SEC. 2. That all writs, summons, recognizances and other processes of whatever kind, returnable to the Courts of General Sessions and Common Pleas in the Counties above named, be, and the same are hereby, made returnable to the Courts held in pursuance of the provisions of this Act, in the same manner as if they had been issued or taken in reference thereto.

A. D. 1871.

All processes returnable to Courts held under this Act.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act or repugnant thereto be, and the same are hereby, repealed.

SEC. 4. This Act shall take effect on and after the fifteenth day of June next.

When to take effect.

Approved March 14, 1874.

## AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1874. No. 570.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of one and one-fourth ( $1\frac{1}{4}$ ) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to pay the salaries of the executive and judicial officers of the State, the clerks and contingent expenses of the executive and judicial departments of the government, for the fiscal year commencing November 1, 1874.

One and one-fourth mills for salaries and contingents.

SEC. 2. That a tax of one and one-fourth ( $1\frac{1}{4}$ ) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1874.

One and one-fourth mills for public institutions.

SEC. 3. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of public schools for the fiscal year commencing November 1, 1874, and three-fourths ( $\frac{3}{4}$ ) of one (1) mill, which shall be used for the payment of deficiencies for school claims and salaries of County School Commissioners due prior to 1st November, 1873, to be divided among the various Counties according to the deficiencies of the same.

Two mills for schools.

Three-fourths of a mill for old school claims, etc.

SEC. 4. That a tax of one (1) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to defray the expenses of the General Assembly for the regular session of 1874-75.

One mill, expenses General Assembly.



A. D. 1874.

One-third  
of a mill for  
printing.

SEC. 5. That a tax of one-third ( $\frac{1}{3}$ ) of one mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the expenses of public printing for the fiscal year commencing November 1, 1874.

Two mills  
for interest.

SEC. 6. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the interest upon the public debt (as adjusted by Act of December 22, 1873,) due and payable upon the 1st of January and July, 1875: *Provided*, That no part of the fund re-

Surplus of  
interest paid  
to be used only  
for purchase of  
consolidation  
bonds and  
stocks.

mainaining as a surplus in the State Treasury after the payment of the interest annually accruing upon the bonds and stocks of this State, as authorized to be issued by an Act entitled "An Act to reduce the volume of the public debt and provide for the payment of the same," approved December 22, 1873, shall be used for the purchase of any other class of bonds or certificates of stock than are by the provisions of said Act authorized to be issued; the true intent and meaning of which is to exclude from purchase all bonds or stocks remaining in their present form or unexchanged for the consolidation bonds or certificates of stock provided for in said Act.

One and four-  
fifths mills for  
deficiency and  
claims.

SEC. 7. That a tax of one and four-fifths ( $1\frac{4}{5}$ ) of a mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the deficiency or unpaid appropriations and claims of Central National Bank, P. F. Frazee and F. Cardarelli, and others, made by the General Assembly for the fiscal year which commenced November 1, 1873.

Three mills  
for County  
purposes.

SEC. 8. That a tax not to exceed three (3) mills upon every dollar of the value of all taxable property in each of the several Counties of the State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1874, the rate to be fixed by the County Commissioners of each County, and by them certified to the County Auditor thereof.

County funds  
to be kept sepa-  
rate and apart  
from other  
funds.

And it is hereby made the duty of the County Treasurers to keep the funds raised by the levy made in this Section separate and apart from all other funds; and they are hereby forbidden to pay

Tax not to be  
applied to ex-  
penses of pre-  
vious years.

out any portion of the same, except for County expenses incurred during the fiscal year for which it is levied and collected; and the County Commissioners are hereby forbidden to draw any warrant

No contracts  
to be made in  
excess of levy.

contrary to the provisions herein provided for, or contract in excess of the levy herein made, except the following Counties:

Special taxes.  
Sumter, two  
mills.

Sumter, where an additional tax of two (2) mills shall be levied, one and one-half mills of which shall be used to pay the past

Chesterfield,  
Pickens, Marl-  
boro, Marion,  
two mills.

indebtedness of said County, and one-half mill shall be used, if so much be necessary, for building a jail for said County; Chesterfield, Pickens, Marlboro and Marion, an additional tax of two (2) mills,

to be used exclusively for the payment of past indebtedness of said Counties; Abbeville and Oconee, an additional tax of three (3) mills, if so much be necessary, to be used exclusively for the payment of past indebtedness of said Counties; Colleton, one mill, and Darlington, an additional tax of two (2) mills, to be used exclusively for the payment of past indebtedness of said Counties; Newberry, an additional tax of one-half ( $\frac{1}{2}$ ) mill, which shall be used exclusively for the payment of past indebtedness of said County; Barnwell, an additional tax of one and one-half ( $1\frac{1}{2}$ ) mills, which shall be applied to the payment of the past indebtedness of said County *pro rata*; Orangeburg: *Provided*, That one of the three mills above levied shall be used exclusively for the payment of past indebtedness of said County, and, in addition to the regular three mills provided for general purposes and the past indebtedness of Orangeburg County, one and one-half ( $1\frac{1}{2}$ ) mills shall be levied in said County to build a court house, and the same shall be used exclusively for that purpose; Spartanburg, an additional tax of one (1) mill, to be used exclusively for payment of past indebtedness of said County; Fairfield, an additional tax of one and one-half ( $1\frac{1}{2}$ ) mills, to be used exclusively for the payment of past indebtedness of said County.

A. D. 1874.

Abbeville  
and Oconee,  
three mills.  
Colleton, one  
mill.  
Darlington,  
two mills.

Barnwell,  
one and one-  
half mills.

Orangeburg,  
one and one-  
half mills.

Spartanburg,  
one mill.

Fairfield,  
one and one-  
half mills.

SEC. 9. That the proceeds from the taxes levied in the first seven Sections of this Act shall be kept by the State Treasurer separate and apart from each other and from other public funds, and shall be applied to the purposes for which they are respectively levied, and none other.

State Treasurer  
to keep  
funds a part  
from each  
other.

SEC. 10. The County Auditors and County Treasurers of the several Counties of this State are hereby required, under the supervision of the Comptroller General, to make the collection of the taxes levied under and pursuant to the provisions of this Act in the manner provided by law; and they are hereby forbidden to collect any other tax whatever for the aforesaid fiscal year, unless hereinafter expressly authorized so to do: *Provided, however*, That nothing herein contained shall prevent the collection of special taxes for County purposes, district school tax, poll tax, railroad tax, and taxes levied for the relief of widows and orphans of persons killed because of their political opinions. Any State or County officer who shall fail to comply with or shall evade or attempt to evade the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not less than one thousand dollars, nor exceeding fifty thousand dollars, and be imprisoned in the Penitentiary for a period of not less than one year nor more than five years.

Taxes to be  
collected un-  
der supervision  
of Comptroller  
General.

To collect  
only such taxes  
as are expressly  
authorized.  
Proviso.

Penalty for  
violation of  
this Act.

SEC. 11. That all taxes assessed and payable under this Act shall

A. D. 1874.            be paid in the following kinds of funds: Gold and silver coin,  
 Taxes, in United States currency, national bank notes, and bills receivable of  
 what payable. the State, coupons maturing of bonds issued under Act to reduce  
 the volume of the public debt and provide for the payment of the  
 same, and certificates of indebtedness as are authorized by the Acts  
 of the General Assembly.

Approved March 14, 1874.

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No. 571. AN ACT TO INCORPORATE THE CLARENDON LAND JOINT STOCK  
 AND LOAN ASSOCIATION, OF CLARENDON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Repre-  
 sentatives of the State of South Carolina, now met and sitting in  
 General Assembly, and by the authority of the same, That G. W.  
 Corporators. Gayman, J. J. Richardson, Pear Boston, Wade Hampton, Isham  
 Burroughs, Hampton Boston, J. D. Warley, P. A. Logan and Ru-  
 fus Gayman, together with such other persons as now are or here-  
 after may be associated with them, be, and they are hereby, de-  
 Objects of clared a body politic and corporate, for the purpose of buying and  
 corporation. holding real estate in the County of Clarendon, or at any point  
 within the County, or State of South Carolina, and making loans  
 of money, secured by mortgage of real estate, and by the hypothe-  
 cation of bonds and stocks and other choses in action and personal  
 property, to its members and stockholders, by the name and style  
 Corporate of the Clarendon Land Joint Stock and Loan Association, of Clar-  
 name. endon County, S. C. The capital stock of said association to con-  
 Capital stock. sist of twenty-five hundred shares; but as soon as one thousand  
 shares shall have been subscribed thereto, the said association shall  
 organize and commence operations; said shares to be paid by suc-  
 cessive monthly installments of one dollar on each share, so long as  
 the association shall continue; the said shares to be held, trans-  
 ferred, assigned and pledged, and the holders thereof to be subject  
 to such fines, penalties and forfeitures for default in their payments,  
 as the regulations and by-laws of said association may prescribe.

General SEC. 2. That the said association shall have number and succes-  
 powers. sion of officers and members as shall be ordained and chosen accord-  
 ing to the rules and by-laws made or to be made by them for their  
 government; and shall have power and authority, from time to  
 time, and at all times, to make such rules and by-laws as are not  
 repugnant to the Constitution and laws of the land; to have and  
 keep a common seal, and to alter the same at will; to sue and be  
 sued, implead and be impleaded, in any Court of law or equity in  
 this State; and shall have and enjoy every right and privilege inci-



dent and belonging to corporate bodies, according to the laws of A. D. 1871.  
the land.

SEC. 3. That the funds of said association shall be invested either Investment of funds. in the purchase of real estate in the County of Clarendon, South Carolina, or in any County or subdivision of the State of South Carolina, which shall be rented out, leased or sold, and conveyed to the members and stockholders of said association, upon such terms and conditions as from time to time may be prescribed by its rules and by-laws, or be loaned out or advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in the County of Clarendon, or any other subdivision of the State aforesaid, or bonds, stocks or choses in action or personal property, on such terms and conditions as from time to time may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by and conveyed to it; or as may be mortgaged to it by way of security upon its loans and advances; or as may be purchased by or transferred and conveyed to it at sales under judgments or decrees at law or equity, for securing or recovering, or in compromise settlement of any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage or otherwise dispose of the same, from time to time, and whenever deemed expedient.

SEC. 4. That if any of the funds of the said association shall remain unproductive or uninvested, or unneeded, or uncalled for, for May lend out unproductive funds. the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether mortgage on real estate, choses in action or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year.

SEC. 5. That whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair Division and distribution of assets. division thereof, such stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall continue in force until repealed.

Approved March 14, 1874.



A. D. 1874. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT,  
 No. 572. RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND  
 VILLAGES THEREIN MENTIONED."

Whereas the Commissioners of Election of Charleston County have neglected to call an election for Intendant and Wardens of the village of St. Stephen's, as required by law; therefore,

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," approved March 9, 1871, be, and the same is hereby, amended by striking out, on the

"Clerk of Court" inserted in lieu of "Commissioners of Election." *Time of election.* seventh line, the words "Commissioners of Election," and insert instead thereof the words "Clerk of the Circuit Court;" and insert on the eighth line, after the word "Act," the following words: "On the first Monday of May, A. D. 1874," so that the same will read as follows: "Shall call the first election under this Act on the first Monday of May, A. D. 1874."

Approved March 14, 1874.

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No. 573. AN ACT TO ESTABLISH A PUBLIC FERRY IN WILLIAMSBURG COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Mur-

Murray's Ferry chartered. ray's Ferry, across the Santee River, in Williamsburg County, shall be, and the same is hereby, established a public ferry and vested

In whom vested. in Aaron Martin, his heirs, executors and assigns, until repealed, with the privilege of collecting the following rates of toll, to wit:

Rates of ferriage. For each wagon drawn by four horses, mules or oxen, seventy-five cents; for each wagon drawn by three horses, mules or oxen, sixty-five cents; for each wagon drawn by two horses, mules or oxen, fifty cents; for each wagon, carriage or buggy drawn by one horse, mule or ox, twenty-five cents; for each man on horseback, ten cents; for each foot passenger, five cents: *Provided*, That children going to and returning from school, and voters going to and returning from the polls on election day, and clergymen, shall be passed free.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE GREENVILLE AND ASHEVILLE  
TURNPIKE COMPANY.

A. D. 1874.

No. 574.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several persons who shall or may associate together, as hereinafter prescribed, for the purpose of establishing a macadamized turnpike road from the city of Greenville, in this State, to the North Carolina line, and their successors, shall be, and are hereby, incorporated as a body politic, in deed and in law, by the name of the Greenville and Asheville Turnpike Company.

Corporators.

Corporate  
name.

SEC. 2. That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed according to the by-laws and regulations which they may establish for the government of the said corporation; and they may have a common seal, with power to break, alter and make new the same as often as they shall judge expedient.

General  
powers.

SEC. 3. That the said corporation shall be able and capable in law to purchase, have, hold, take receive, possess, retain and enjoy to itself, in perpetuity, or for any term of years, any estate, real or personal, of what kind or nature soever, and to sell, alien and dispose of the same as they may think proper; and, by the name aforesaid, to sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of law or equity; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as, for the good order and proper government of the said corporation, may, by the same, be thought expedient or necessary.

SEC. 4. That Frank Coxe, M. J. Bearden, S. S. Crittenden, J. P. Moore, J. H. Goodwin, W. H. Perry, Andrew Miller, F. B. McBee and William T. Shumate, or a majority of them, be, and they are hereby, appointed Commissioners to receive subscriptions for the establishment of the company aforesaid, for which purpose they shall meet on the first Tuesday in June, 1874, at Greenville C. H., and there receive the subscriptions of all such persons as shall be desirous of subscribing and associating for the purpose of becoming members of the corporation.

Commissioners

SEC. 5. That the capital of the said company shall be divided into five hundred shares, with the privilege of increasing to one thousand five hundred shares, of one hundred dollars each.

Capital stock.

SEC. 6. That the said company shall be, and they are hereby, authorized and empowered to macadamize the public road leading

Line of road.

A. D. 1874. from the city of Greenville, in this State, to the town of Asheville, in the State of North Carolina, as far as the North Carolina line; which said macadamized road, or so much thereof as they may macadamize, shall be vested in said company, their successors and assigns, in perpetuity.

SEC. 7. That said company shall not be permitted, at any time, to charge more for traveling over said macadamized road than after Rates of toll. the following rates, to wit: For every carriage or wagon with four wheels, with horses and driver, at the rate of thirty cents per mile; for every two-wheeled carriage or wagon, with horses and driver, at the rate of fifteen cents per mile; for every led horse or mule, loose horse or mule, or head of cattle, sheep or swine, at the rate of six and a quarter cents per mile.

May erect toll gates and collect toll.

SEC. 8. That said company shall be authorized and empowered to establish toll gates, and collect toll, whenever they shall have macadamized four miles of said road.

May dispense with covering in certain cases

SEC. 9. That if any part of the ground on the route of said road shall be so hard and compact as to make a good road without any covering of wood, gravel, stone or any other hard substance, the said company are hereby authorized to construct such part of said road without any such covering; and are also authorized to change the route of said road at such points, and for such distances, as they may think necessary.

May change route.

Liability of stockholders.

SEC. 10. That the said stock and shares may be sold, transferred and assigned and bequeathed by the proprietors, respectively, and the subscribers to said stock shall not be liable for the debts of said company beyond the amount of the stock so subscribed by each of them.

May use any material in vicinity.

Compensation therefor.

SEC. 11. That the said company shall have power to make use of any materials in vicinity of said road, for making and keeping the same in repair, paying a reasonable price for the same; and when they and the owners of such materials cannot agree for the same, to take such materials on valuation so to be made by a majority of three persons, one to be appointed by the company, one by the owner of the materials, and they to select a third person; and the company shall, on the payment of the sum so valued, be vested with the ownership of said materials forever.

SEC. 12. That the said road so macadamized shall be of such width as the said company may deem best.

Approved March 14, 1874.

AN ACT TO ESTABLISH A FERRY ACROSS THE BROAD RIVER, A. D. 1874.  
 JUST BELOW WHERE THE GREENVILLE AND COLUMBIA RAIL-  
 ROAD CROSSES SAID RIVER. No. 575.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry over Broad River, just below where the Greenville and Columbia Railroad crosses said river, the lands on the East side of said river belonging to Elkins and on the West on Murdock's land, be chartered and be vested in David R. Elkins, his heirs and assigns, who shall be allowed the following rates of toll, to wit: For a person on horseback, ten cents; for a one-horse team, fifteen cents; two-horse team, twenty-five cents; three-horse team, thirty-five cents; and four-horse teams, fifty cents; ox teams, same as horse teams; foot passengers, five cents; loose horses and mules, five cents each; cattle, three cents; and hogs, sheep and goats, two cents each.

Ferry across  
Broad River  
vested in D. R.  
Elkins.

Rates of  
ferriage.

SEC. 2. That this charter shall remain in force for the term of fourteen years: *Provided*, That children going to and returning from school, school teachers and clergymen, and voters going to and returning from their polling precincts on election days, shall be exempt from paying toll at the said ferry: *And provided, further*, That no person or persons shall be permitted to establish a public ferry within three miles of the same.

Expiration  
of charter.  
Persons ex-  
empt from toll.

Approved March 14, 1874.

AN ACT TO ESTABLISH A FERRY ACROSS THE SANTEE RIVER, No. 576.  
 IN WILLIAMSBURG COUNTY, AND TO VEST THE SAME IN AARON  
 MARTIN, HIS HEIRS AND ASSIGNS.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Santee River, in Williamsburg County, at Staggers' plantation; and that the said ferry be vested in Aaron Martin, his heirs and assigns, for the term of ten years, and that the following rates of toll be charged and collected, and no more: For every four-horse carriage or vehicle, one dollar; for every two-horse carriage or vehicle, seventy-five cents; for every one-horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents:

Ferry across  
Santee River  
vested in  
Aaron Martin.

Rates of  
ferriage.



A. D. 1874.

Proviso.

*Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free from toll.

Approved March 14, 1874.

NO. 577. AN ACT TO INCORPORATE THE COLLETON MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George C. White, Andrew J. Brown, Theodore J. Martin, Lyman A. Good, B. G. Miles, Benjamin T. Oliver and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Colleton Manufacturing Company," for the purpose of manufacturing cotton yarn and cloths, woolen goods, paper, and such other fabrics or articles as the demands of the community may require, and for procuring and making such machinery to carry on manufacturing in all its branches, and also for carrying on all such business as may be connected with the above purposes, with a capital of five hundred thousand, with the privilege to increase to any extent not exceeding one million dollars, the consent of a majority of the stockholders being first had and obtained.

SEC. 2. That said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debts due them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary, and may sue and be sued, have and use a common seal, and make such by-laws for the government of said corporation, not inconsistent with the laws of the State, as may be deemed necessary, and shall have, generally, all the rights, powers and privileges in law incident or appertaining to similar corporations.

SEC. 3. That this Act shall be a public Act and continue in force for the term of thirty years.

Approved March 14, 1874.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO CHANGE THE COURSE OF MARKET ROAD, KNOWN AS THE "RIVER ROAD," IN SAID COUNTY. A. D. 1871.  
No. 578.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized, empowered and required to change the course of Market Road, known as the River Road, in said County, as follows: To leave the old route near D. J. Epsting's, to proceed from thence by Mrs. R. Shealing's, thence by W. Ballentine's, thence by Captain F. W. Frick's mills, and from thence to intersect with the original route somewhere near Hon. J. H. Counts'. Course of  
Market Road  
changed.

Approved March 14, 1874.

AN ACT TO MAKE IT THE DUTY OF THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO TAKE CARE OF AND KEEP IN PROPER REPAIR JAMES ISLAND AND HAULOVER CUTS, THE SAME AS OTHER THOROUGHFARES. No. 579.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it is hereby made the duty of the County Commissioners of Charleston County to put in proper repair the cut known as James Island Cut, at James Island, and Haulover Cut, between Seabrook's and John's Island, and take charge of the same as of any other public thoroughfare. County Com-  
missioners to  
repair cuts.

SEC. 2. And the County Commissioners of the said County are hereby authorized and empowered to receive estimates for the cleaning out of said cuts to their proper depths and award the contracts as provided by law: *Provided*, That the work shall be done and finished in such a manner and at no less a depth as to permit ordinary row-boats to pass through the same at half high water. May receive  
estimates for  
cleaning out  
cuts.

SEC. 3. And it shall be the duty of said Commissioners to restore and keep in repair the banks of James Island Cut in a manner as to be passable to foot travelers and also to protect from overflow the land adjoining. To keep banks  
in repair.

A. D. 1874.

To set aside  
taxes for that  
purpose.

SEC. 4. That said County Commissioners are hereby empowered and directed to set aside and use a sum of money out of the County taxes, from year to year, sufficient to carry out the provisions herein specified.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved March 14, 1874.

No. 580. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD LEADING FROM IGNATIUS FEW'S TO TYGER RIVER CHURCH.

County Com-  
missioners to  
repair certain  
road.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to open and establish and keep in repair a public road leading from Ignatius Few's, on the Gap Creek Road, by way of Jenkins' Mill, to Tyger River Church, on Tugalo Road.

Approved March 14, 1874.

No. 581. AN ACT TO AUTHORIZE AND EMPOWER CERTAIN COUNTIES TO ISSUE BONDS IN SUBSCRIPTION FOR PREFERRED STOCK OF THE CHERAW AND CHESTER RAILROAD COMPANY.

Certain Coun-  
ties authorized  
to issue bonds  
in subscription  
for preferred  
stock of Ches-  
ter and Ches-  
ter Railroad.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties of this State through which the Cheraw and Chester Railroad Company are authorized to construct a railroad, or any branch thereof, be, and are hereby, authorized and empowered to issue bonds in subscription for preferred stock of the said company, subject to the conditions and provisions hereinafter mentioned.

County Com-  
missioners to  
order election  
to decide  
whether sub-  
scription shall  
be made.

SEC. 2. The Board of County Commissioners of each of the said Counties shall, within sixty days after receiving a written request to that effect from the proper officers of the said company, endorsed or approved by at least one hundred legal voters of the County, order and provide for the holding of an election, by the legal voters of the County, to decide whether such subscription shall be made, the amount of such subscription not to exceed five per cent. on the assessed value of the real and personal property in the County, and to be made in bonds of the County, bearing interest at

Subscriptions  
not to exceed  
five per cent.  
of assessed  
value of prop-  
erty in County.

the rate of six per cent. per annum, and payable in thirty years after date. The voting shall be by ballot, which shall be either written or printed, or partly written or partly printed, and shall contain either the words "Subscription for preferred stock of the Cheraw and Chester Railroad Company—Yes," or the words "Subscription for preferred stock of the Cheraw and Chester Railroad Company—No." The election shall be conducted and the Managers shall make the returns in the same manner as is now provided by law for general elections. The Commissioners of the election shall, within ten days after the time of holding the same, forward to the Board of County Commissioners a return setting forth the entire number of votes cast thereat, and also the number of votes cast respectively for and against making such subscription.

A. D. 1874.

Manner of voting.

SEC. 3. If a majority of the entire number of votes cast at the election shall be in favor of making such subscription, the Board of County Commissioners shall immediately cause such bonds to be printed or engraved, and sign the same, and also have the same countersigned by their Clerk, and sealed with their seal. The said bonds shall then be numbered and registered in the office of the Clerk of the County.

County Commissioners to cause bonds to be printed.

SEC. 4. When the said company shall actually commence the construction of a railroad within the County, and shall deposit with the County Treasurer of the County a bond of the said company, executed in such form as shall be approved by the Judge of the Circuit, in a sum sufficient to secure the payment of the interest on the said bonds until the said railroad shall be completed in the County, the Board of County Commissioners shall deliver the said bonds to the said company and publish the fact of such delivery in the official paper of the County. On the completion of the said railroad in the County the Board of County Commissioners shall receive from said company an amount of preferred stock of the said company equal to the amount of the said bonds, which preferred stock shall bear interest at the rate of seven per cent. per annum.

County Commissioners to deliver bonds to company and publish the fact.

SEC. 5. The Board of County Commissioners shall invest the additional one per cent. received from the said preferred stock in securities, whereby the same shall draw interest semi-annually, and shall also invest the interest received for the same until an amount shall have accumulated therefrom sufficient to pay the said bonds, when the said bonds shall be paid and canceled.

County Commissioners to invest moneys received.

SEC. 6. All moneys received as interest on the said preferred stock shall be held by the County Treasurer and paid out on the order of the Board of County Commissioners.

Moneys to be paid out on the order of the County Commissioners.

Approved March 14, 1874.



A. D. 1874.

No. 582.

AN ACT TO INCORPORATE THE GERMANIA SAVINGS BANK, OF  
CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Small, John Wulbern, W. Knoblock, H. Klatte, A. F. Stelling, H. H. Knee, O. F. Wieters, John J. Small, G. C. Smitzer, W. R. Jervy, J. F. Green, together with such other persons as now are or may hereafter be associated with them, shall be, and they are hereby, constituted and made a body corporate and politic, under and by the name of the Germania Savings Bank, of Charleston, South Carolina, with a capital stock of thirty thousand dollars, which may be increased from time to time, at the will of the stockholders, to any amount not exceeding five hundred thousand dollars: *Provided*, That this Act shall not have the force of law until thirty thousand dollars of the capital stock shall have been paid in.

SEC. 2. The capital stock of the said corporation shall be divided into shares of the amount of two hundred and fifty dollars each.

SEC. 3. The said corporation shall have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds in bank or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds or stocks of this or any other State or of the United States; to buy and sell gold and silver, and any and all kinds of bonds, notes, bills, securities, choses in action and other property; to lend money on real estate, secured by mortgage or otherwise, on the pledge of gold or silver, bonds, notes, bills, stocks, choses in action and securities of all or any kind. And the said corporation shall have power and authority to use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State; and to have and enjoy all and every right, privilege, power and franchise incident to incorporated bodies; and shall be capable of taking, holding and disposing of their capital stock and all other property, of every kind, according to such rules and regulations as they may from time to time establish, and also of taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their said capital stock or other property as aforesaid; and shall have the right and power to acquire, purchase, take and hold, in their corporate name, lands and real estate and personal property, and the same to demise, grant, sell, exchange and convey in fee simple or otherwise.

SEC. 4. The corporation shall have such officers as shall be

fixed by the by-laws, and such other agents and employees as may from time to time be deemed necessary by the corporation; the said officers, agents and employees to be selected and chosen at such time, in such manner and for such terms of office, and to be entitled to receive such compensation as shall be fixed and established by the rules and by-laws of the corporation; and any of said officers, agents and employees may be required to give such security for the faithful performance of their respective duties as shall be fixed by the said rules and by-laws. The stockholders shall have power and authority to make such rules and by-laws not repugnant to the laws of the land, and to modify and amend the same in such manner as they see fit. The business and property of the said corporation shall be managed and disposed of, and dividends of the profits of the business of the corporation shall be made and declared, in such manner as may be prescribed and regulated by said rules and by-laws. A representation of a majority of the shares of the entire stock shall be requisite to constitute a quorum at any and all meetings of the stockholders, and at such meetings each share shall entitle its holder to one vote. Absent stockholders may be represented and vote by agents or proxies, provided the persons holding such proxies or acting as such agents be stockholders in the corporation.

A. D. 1874.

Officers—ap-  
pointment,  
powers and  
duties.

Business, how  
managed.

Quorum.

Proxies.

Qualification  
of Directors.

SEC. 5. No person shall be a Director in the said corporation unless he be a *bona fide* stockholder of the same.

SEC. 6. Until the first election of officers by the stockholders shall have been held it shall not be lawful for any one person to subscribe more than four shares of the stock of the corporation hereby created; and the corporation shall be authorized to limit the number of shares which shall be held by any one person, and to alter and abolish such limits whenever they deem it proper to do so.

Number of  
shares of each  
stockholder  
limited.

SEC. 7. The said corporation shall have power and authority, from time to time, to increase their capital stock over and above the amount paid in as set forth in the first Section, whenever a majority of the stockholders, each share being entitled to one vote, shall, at a regular meeting, or the Board of Directors by their authority, shall determine; and such additional stock shall be divided exactly among the stockholders in proportion to their shares in the amount of the capital stock at the time of said increase; but if any stockholder should not desire to take his or her proportion of such increased stock the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the corporation may deem expedient; and in no case shall the members who are unwilling to take their pro-

May increase  
capital stock.

Additional  
shares, how to  
be disposed of.

A. D. 1874.

portion in such increase of stock be assessed to contribute to or to make up such increase. Such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by this Act, and any such additional subscribers shall thereby become members of this corporation and be subject in like manner, in proportion to their interest, to all the liabilities, responsibilities and conditions imposed upon the members of the same.

May enforce  
rules.

SEC. 8. The said corporation shall have full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation; and to this end, if need be, shall and may institute and maintain in their corporate name, against any one or more of their members, all necessary suits, actions and pleas, either at law or in equity, for the recovery of any sum or sums of money to the use of the said corporation in as ample a manner as such suits might be maintained against persons not members of said corporation.

May institute  
suits, etc.

Liability of  
stockholders.

SEC. 9. The stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in the same for all its debts and liabilities upon note, bill or otherwise; and no Director or other officer of said corporation shall borrow any money from said corporation; and if any Director or other officer shall be convicted, on indictment, of directly or indirectly violating this Section he shall be punished by fine or imprisonment at the discretion of the Court.

Deposits by  
married women  
and minors.

SEC. 10. When any deposit is made by a person being a married woman or minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be a lawful discharge therefor.

SEC. 11. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of without special pleading, and the charter hereby granted shall continue in force for thirty years.

Approved March 14, 1874.

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No. 583. AN ACT TO INCORPORATE THE PRESS UNION LABORERS' ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Burton, A. Chisolm, J. McKensie, H. Foster, J. Glover, D. Williams, F. Palmer, E. Mott, W. P. Logan, S. Furguson, O. Scott, L. Phil-

Corporators.



A. D. 1874.

lips, G. Simmons, C. Palmer, A. Mickens, H. Johnson, J. Millikin, C. Howard, W. Parker, Wm. Gibson, E. Brown, J. McCants, N. Edwards, A. Mention, J. Brown, R. Perrin, R. Smalls, R. Smith, R. Smith, second, S. Grant, T. Monroe, Samuel Grant, A. McNeil, A. Pinckney, W. Davis, J. Cain, H. Drayton, J. Hunes, N. Green, S. Thompson, F. Rosier, D. Miller, W. Stewart, F. J. Ross, B. Furguson, M. Read, M. Grant, F. Singleton, J. Nesbit, F. H. Peace, J. Wilson, E. Montgomery, J. Davis, J. Smith, F. Harrison, F. Bell, J. Mechanic, F. Shere, J. Miles, and all other persons who may associate with them, shall be a body politic and corporate, by the name of the Press Union Laborers' Association of Charleston, and by that name shall have succession of officers and members; may sue and be sued, plead and be impleaded, in any Court whatsoever; and may have and exercise all such corporate powers and franchises as are hereinafter provided, or which are customarily incident to bodies corporate in this State.

Corporate  
name.

SEC. 2. The object and business of the said association shall be, through the co-operation of the members to that end, to protect the laborer, and to promote his interests, so that he may obtain fair and remunerative compensation for his toil and services.

Objects of  
corporation.

SEC. 3. The corporate powers and franchises of the said association shall be vested in a Board of President and Vice President and a Standing Committee. The persons named in the first Section of this Act, together with all such other persons as they may select, shall constitute the first Standing Committee. Upon their first organization, the Standing Committee, and afterwards the full Board, at the meeting next after their annual election in each year, shall elect from their own number a President and a Vice President, who shall respectively hold office for the term of one year and until their successors shall be elected. The Board shall have power to elect or to appoint a Secretary, and such other officers as they shall deem necessary for conducting the affairs of the association, who shall hold office during the pleasure of the Board. The Board may appoint a President and Vice President *pro tempore*, as occasion may require.

Officers.

SEC. 4. The Board shall have power and authority to declare by by-laws what number of members, not less than twelve, shall constitute a quorum for the transaction of business. The Board may also make all by-laws, rules and regulations, not repugnant to the laws of the land, for the government of its members and associates, and for the management of its affairs, and the same may alter, amend or repeal at pleasure. They may adopt and keep a common seal for the use of the Board, and the same may alter at will.

Duties of  
Board.



A. D. 1874.

Special meet-  
ings.

SEC. 5. The President may call special meetings of the Board whenever thereto requested, in writing, by any ten members of the Board.

Board—term  
of officers.

SEC. 6. The Standing Committee, within sixty days after their organization, shall, by lot, divide themselves into three classes of one-third of the whole number each. The term of the first class shall expire on the first Wednesday of April in the year 1875; that of the second class shall expire in one year after that time; and that of the third class shall expire at the end of two years from said date; so that in each consecutive year an election shall be held to fill the vacancies made as aforesaid. Any person whose term has expired shall be eligible for re-election. All elections provided for shall be by ballot, and a majority shall elect: *Provided*, At any annual meeting the Board may reduce the number of the Standing Committee to a number not less than twenty members, and the same power and franchises shall vest and reside in such Board, so diminished, as were before vested therein with any greater number of members.

Proviso.

SEC. 7. This Act shall be deemed a public Act and shall remain in force for the term of fifteen years.

Approved March 14, 1874.

No. 584. AN ACT REQUIRING ALL PUBLIC OFFICERS TO PAY OVER MONEYS OFFICIALLY IN THEIR HANDS TO THEIR SUCCESSORS.

Public officers  
to turn over  
money in their  
hands to suc-  
cessors.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of every Sheriff, Judge of Probate, Clerk of the Court of Common Pleas, County Treasurer, and any other State or County officer entrusted with funds by virtue of his office, upon his retiring from office, to turn over to his successor all moneys received by him as such officer, and remaining in his hands as such officer, within thirty days from the time when his successor shall have entered upon the duties of his office, in the same manner as he is required by law to turn over the furniture, books and papers; and the successor shall receive and be responsible for the moneys so turned over to him, in the same manner as he is liable for other moneys received by him officially; and any public officer neglecting or refusing obedience to the requisition herein contained shall be held guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of one thousand dollars, and imprisonment not exceeding

Successors to  
be responsible  
for same.Penalty for  
violation of  
this provision.

twelve months, besides his liability on his official bond, at the suit of any person aggrieved by such neglect. A. D. 1874.

SEC. 2. Upon the death of any such officer, his personal representative or representatives shall pay over to the successor of such deceased officer all moneys which such deceased officer had in his hands, officially, at the time of his death, within nine months after he, she or they shall have assumed the administration of such estate; and upon his or their neglect or failure so to do, without good cause, the estate of such deceased officer and the sureties on his official bond shall be liable to pay to such successor the amount due, with interest at the rate of five per cent. per month thereon, after the expiration of such term of nine months, to be recovered by action brought by such successor for the benefit of the parties entitled to receive such money.

Representative of deceased officers to turn over moneys to his successor.

Penalty for violation thereof.

SEC. 3. It shall be the duty of all such officers who shall have ceased to hold such offices, by reason of the expiration of their terms of office, or by resignation or otherwise, within thirty days after the passage of this Act, to turn over to the qualified successors of such officers all funds received by such officers and remaining in their hands, or in the hands of their legal representatives; and in case of failure so to do, they shall be subject to like penalties as are hereinbefore mentioned.

All officers having ceased to hold office to turn over moneys in like manner.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 16, 1874.

## AN ACT TO CHARTER THE CHARLESTON AND SULLIVAN'S ISLAND RAILROAD COMPANY. No. 585.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bernard O'Neil, R. C. Gilchrist, G. I. Cunningham, C. R. Brewster, W. J. McKinlay, L. J. Barbot, F. J. Smith, C. H. Simonton, E. W. M. Mackey, R. B. Artson, W. R. Jervy, T. Hurley, M. P. O'Connor, O. A. Bowen, T. G. Barker, A. S. Johnson, S. E. Gaillard, W. N. Taft, A. O. Jones, George W. Williams, C. H. Sperry, John A. Moroso, John A. Mushington, and their successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Charleston and Sullivan's Island Railroad Company, and under that name and style shall be, and are hereby, made capable to have, purchase, hold and enjoy, and retain to their suc-

Corporators.

Corporate name.

A. D. 1874.

General powers.

cessors, lands, rents, tenements, goods, chattels and effects of whatsoever kind or quality, and the same to sell, alien or dispose of; to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever; to have perpetual succession; to have and to exercise all the rights and privileges of all railroad corporations of a similar kind now existing, or hereafter to be created, in this State, except the right to interfere with the chartered rights and privileges of such corporations relative to the building and construction of roads.

SEC. 2. That in addition to the rights, privileges and franchises conferred upon this company under the provisions of this Act, they shall also have authority and power, and they are hereby authorized and empowered, to build and construct a railroad by the most practicable route through Christ Church Parish to Sullivan's Island, and connect the same with the city of Charleston by ferry.

SEC. 3. That for the purpose of creating the capital stock of the said company, which shall not exceed two hundred and fifty thousand dollars, the corporators before named, or any three of them, to be selected by the said corporators, or a majority thereof, are hereby appointed Commissioners, whose duty it shall be, as soon after the passage of this Act as may be convenient, to open books of subscription at such places and at such times as to them shall seem best, and under such rules as they may prescribe. The capital stock of the said company to be divided into shares of fifty dollars each.

SEC. 4. That whenever the sum of two thousand dollars is subscribed to the capital stock of said company, it shall be the duty of the Commissioners above mentioned to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient, and at such times and places as they shall determine; and at all general meetings of said stockholders not less than a majority of all the stock subscribed shall constitute a quorum for the transaction of business; and said stockholders, when so met in general meeting, shall have power to elect a President and Directors for said company, whose term of office shall be for one year and until others are chosen. In the election of President and Directors, and in enacting such laws as may be necessary, the stockholders shall be entitled to vote as follows, viz.: One vote for each share owned, not exceeding five; one vote for every two shares above five, and not above ten; one vote for every four shares above ten, and not above twenty; one vote for every five shares above twenty. No fraction shall be counted making less than half a vote.

When may meet and organize.

Election of officers.

Manner of voting.



SEC. 5. That the said company may at any time during the existence of this charter effect a consolidation with any other railroad company, forming a continuous line with its own, according to the provisions of Section 6 to 14, inclusive, Chapter LXV, of the Revised Statutes.

A. D. 1874.

May unite or consolidate with other companies.

SEC. 6. That for the purpose of assisting the said company in the construction of the road, all the land on Sullivan's Island which has not been taken up and assigned to occupants by virtue of the rights conferred on the Town Council of Moultrieville, commencing at Simons' street and extending East the entire width of the island for one mile, is hereby made over and vested in the said company.

Certain unoccupied land granted to said company.

SEC. 7. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, ratified September 22, 1868, entitled "An Act to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement." *Provided, however,* That nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

Subject to provisions of certain Act.

SEC. 8. That the said railroad shall be commenced within three years and be completed within seven years.

SEC. 9. That this Act shall go into effect on and after its passage, and all Acts or parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved March 16, 1874.

## AN ACT TO INCORPORATE THE CAROLINA SAVINGS BANK OF CHARLESTON. No. 586.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. W. M. Mackey, W. R. Jervey, George I. Cunningham, Jacob Williman, W. H. Jones, and such other persons as may hereafter be associated with them, and their successors and assigns, are hereby constituted a body corporate, under the name of the Carolina Savings Bank of Charleston, and by that name shall have succession, with such powers and privileges as are hereinafter provided, subject, however, to the provisions of Section 6 of Article III of the Constitution of this State.

Corporators.

Corporate name.

SEC. 2. The capital stock of the said corporation shall be one hundred thousand dollars, divided into two thousand shares of fifty dollars each; and when the said amount of one hundred thousand

Capital stock.



A. D. 1874. dollars shall have been actually subscribed and paid the said corporation may organize and proceed to business under this Act.

Powers and  
privileges.

SEC. 3. The said corporation shall have power and authority to receive deposits, and to invest the same, its capital stock and other funds, in bank or other stocks, in the purchase of bonds or stocks of this or any other State of the United States, or of the United States; to buy and sell gold and silver; to lend money on unencumbered real estate in amounts not beyond seventy-five per cent. of its actual value; and the said corporation shall have power and authority to have, use and keep a common seal. and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State, and to have and enjoy all and every right, privilege, power and franchise incident and belonging to incorporated bodies; and shall be capable of taking, holding and disposing of its capital stock according to such rules and regulations as it shall from time to time establish, and also taking, holding, dividing, disposing of or investing the increase, profits or emoluments of its said capital stock; and shall have the right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to devise, grant, sell, assign, exchange and convey, in fee simple or otherwise; and the said corporation shall have authority to establish branch offices at such other points in the State as it may elect.

Proviso.

SEC. 4. The said corporation shall prescribe rules and regulations relative to deposits made, and the substance of such rules and regulations shall be printed in the book of deposit received by each depositor. The said corporation shall also be authorized to make such by-laws as may be deemed necessary for its conduct and government: *Provided*, That each stockholder of the said corporation shall be entitled to one vote for each share of stock owned and held by him or her in all elections for officers of the said corporation, and in all questions affecting the interests of the said corporation, and which may arise at meetings of the stockholders of the same: *And provided, also*, That such by-laws are not repugnant to the Constitution and laws of this State or of the United States.

Officers.

SEC. 5. The business and corporate powers of the said corporation shall be exercised by a Board of not less than five Directors, who shall elect from their number a President.

SEC. 6. The Board of Directors, out of the funds and earnings of said corporation, shall defray its expenses and pay its debts, and may declare and pay out of the surplus net profits of its business, as the same from time to time arise and accrue, to its stockholders, or their duly-authorized attorneys, such dividends as they may deem expedient.

SEC. 7. The capital stock of said corporation may, at any time, be increased to an amount not exceeding five hundred thousand dollars, by the addition of new shares of fifty dollars each, duly subscribed for and paid in, in such manner and upon such terms as a majority of the Board of Directors shall prescribe.

A. D. 1874.

Capital stock  
may be in-  
creased.

SEC. 8. This Act shall be deemed a public Act, take effect when twenty thousand dollars of the capital stock of said bank shall have been paid in, and satisfactory evidence of the same is furnished to the Comptroller General, and shall continue in force for twenty-one years.

When to take  
effect.

Approved March 16, 1874.

AN ACT TO INCORPORATE THE SOUTHERN MANUFACTURING COMPANY. No. 587.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles R. Brewster, E. W. M. Mackey, J. B. Patrick, Louis J. Barbot, W. R. Jervey, S. E. Gaillard, G. I. Cunningham, A. O. Jones, and all such other persons who may associate with them, shall be, and are hereby, incorporated and constituted a body politic and corporate, under the name and style of the "Southern Manufacturing Company," and by that name shall have succession for forty years; and shall have power to contract and be contracted with, to sue and be sued; to have and use a common seal; to borrow money upon their bonds or other obligations, for such sums and upon such conditions, as to time and place of payment and rate of interest, as may be agreed upon between the contracting parties; to purchase and hold such real estate and personalty as may be necessary for the exercise and enjoyment of the rights, powers and privileges conferred by this Act and are incident to corporations.

Corporators.

Corporate  
name.Powers and  
privileges.

SEC. 2. The said corporation shall have full power and authority to manufacture gas, and the exclusive right to supply the municipality of Moultrieville and the residents of Sullivan's Island, at a price not exceeding six dollars (\$6) per thousand feet; to manufacture oil, tar, turpentine, rosin, varnish and paints; to manufacture gas and water pipes, and to contract for the construction of gas and water works in any other places desiring to secure such improvements. The business office of the company shall be located in Charleston, but their factories may be erected in any part of Charleston County that may be most convenient for conducting their operations.

Object of  
corporation.

A. D. 1874.

Corporation  
may take land  
necessary for  
the purpose of  
laying pipes,  
&c.

Proviso.

SEC. 3. The said corporation shall be, and is hereby, authorized to condemn and take such lands as may be necessary for the establishment of their reservoirs and works; and the right of way through all lands, to lay their pipes and conductors, and to keep the same in repair, is hereby granted them: *Provided*, That the company shall make compensation to the owner of the real estate so condemned and taken, or through which the pipes may be laid. And the said company are hereby authorized and empowered and invested with the exclusive privilege of laying down pipes through all or any of the streets, lanes, alleys, avenues and public grounds of Moultrieville and Sullivan's Island, to supply the inhabitants thereof with gas, and for this purpose may take up the pavements or sidewalks upon such streets: *Provided*, That said pavements and sidewalks shall be taken up in such manner as to give the least inconvenience to the inhabitants of the island, and that the same shall be replaced with all convenient speed by and at the expense of said company.

Capital stock.

SEC. 4. The capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to three hundred thousand dollars by vote of the stockholders. Said stock shall be divided into shares of twenty-five dollars each, and each share upon which all legal calls have been paid shall entitle its holder to one vote in all elections, and upon all votes taken in any meeting of the stockholders relating to by-laws or any affairs of the company.

Officers.

SEC. 5. The management of said company shall be vested in a Board of not less than five Directors, who shall be elected at a general meeting of the stockholders annually; but the persons named in the first Section of this Act shall constitute the first Board of Directors, and shall continue in office until their successors have been duly elected, and may open books and take subscriptions to the capital stock of said company in such manner as they may deem expedient. The Board shall elect one of their number to be President of said company, and may fill all vacancies in their number. They may also appoint a Secretary and Treasurer for said company, and may take from their Treasurer a bond, in such sum as they may deem sufficient, for the proper performance of his duties, and for correctly accounting for all moneys which may come into his hands.

Stockholders  
failing to pay  
installments  
due on stock  
liable to for-  
feiture of same.

SEC. 6. Any stockholder who shall fail to pay any calls made by the Directors shall forfeit his stock and all payments thereon, or the President and Directors may recover the amount of such calls by suit. The shares in the capital stock shall be deemed personal estate, and be transferable only on the books of the company.



The company may organize whenever the sum of fifteen thousand dollars is subscribed. A. D. 1874.

SEC. 7. Any person who shall injure or destroy, or cause to be injured or destroyed, any of the property of the said company shall forfeit and pay to the said corporation treble the amount of damages sustained by any such injury, to be recovered by action in any Court having cognizance thereof. Persons injuring property of corporation to be liable for damages

SEC. 8. To secure the payment of bonds issued or moneys borrowed, the President and Directors may mortgage all the property of the company existing at the date of the mortgage, as well as all the property to be afterwards acquired by the company, and the franchise granted by this Act. And in case of foreclosure and sale under such mortgage the purchaser or purchasers shall succeed to and be vested with all the powers and privileges and be subject to all the duties and liabilities of said company. Property of the corporation may be mortgaged.

SEC. 9. As it is the acknowledged policy and interest of the State to encourage and foster domestic manufactures, the said company shall be entitled to and receive a bounty of an annual sum equal to the amount of taxes paid by said company for the period of ten years from the date of the commencement of their operations. Corporation to receive bonds from the State, annually, equal to amount of taxes paid by them.

Approved March 16, 1874.

## AN ACT TO INCORPORATE THE CHARLESTON FERTILIZER COMPANY. No. 588.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles F. Panknin, William R. Caldwell, Oscar Aikel, Daniel S. Silcox, W. R. Jervey, E. W. M. Mackey, James F. Green, W. N. Taft, N. T. Spencer, A. O. Jones, W. J. McKinlay, Rufus C. Barkly and George Dick, and their associates and successors, are hereby made and created a body politic and corporate in law, for the purpose of carrying on any kind of mining, manufacturing or chemical business, with a capital of one hundred thousand dollars, to be divided into one thousand shares of one hundred dollars each: *Provided, however,* The company shall not organize until ten thousand dollars of capital stock has been subscribed to. Corporators.

SEC. 2. That said company shall have power, from time to time, to increase their capital stock to any amount not exceeding five hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general May increase capital stock.



A. D. 1874.

meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided equally among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or make up such increase. Such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act, and any such additional subscribers shall thereby become members of this company, and subject, in like manner, in proportion to their interest, to all the burdens, liabilities, responsibilities and conditions imposed upon the members of this company.

Treasurer of corporation may sell shares upon which any installment is due.

SEC. 3. That if the proprietor of any share shall neglect to pay any installments assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell by public auction a sufficient number of shares standing in the name of such stockholder to pay all the installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same three weeks successively before the sale in one of the Charleston newspapers, and a bill of sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Place of sale to be advertised.

Shareholders to be liable for debts of corporation.

SEC. 4. That every shareholder of the said company shall be individually liable for the debts contracted during the time he or she shall be a shareholder in said company to the extent of ten per cent. of the par value of his or her shares in the same; that no person holding such stock as collateral security shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly: *And provided, further,* That no stockholder shall be personally liable for the payment of any debt contracted by the said company which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debt shall be brought against said company within one year after the debt shall become due; and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt

so contracted, unless the same shall be commenced within two years from the time he shall have ceased to be a stockholder in said company, nor until an execution against the company shall have been returned unsatisfied in whole or in part. A. D. 1874.

SEC. 5. That the said company shall have such number of officers as shall be ordained and chosen by the rules and by-laws to be made for their government and direction, and shall have power and authority to make all rules and by-laws not repugnant to the laws of the land; to regulate the issue of scrip and transfer of shares; to have and to keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity; to purchase, take and hold, sell and alien, in fee simple or for any less estate, lands or tenements, hereditaments, goods, chattels, rights and credits which may be connected with or in any manner conducive to the purpose for which said company is established; to dig and mine for earths, marls, rocks and minerals, and to contract with individuals or with corporations, municipal or private, for the purchase, removal or collection, in any manner, shape or form, of organic or inorganic substance; to manufacture the same, and such other material as they may purchase, into chemicals, acids and fertilizers; to carry on trade therein and to cultivate such lands as may be purchased by the company for the purposes aforesaid. Powers and privileges.

SEC. 6. That this Act shall be deemed and taken to be a public Act and shall continue of force for twenty-one years.

Approved March 16, 1874.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF CHARLESTON TO No. 589.  
ISSUE SEVEN PER CENT. COUPON BONDS FOR THE PURPOSE OF  
TAKING UP OVER DUE STOCK OF THE SAID CITY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of taking up the stock of the city of Charleston which is now over due, or which shall hereafter fall due, the City Council of Charleston be, and they are hereby, authorized and empowered to issue coupon bonds to an amount not exceeding five hundred thousand dollars, said bonds to bear interest at seven per centum per annum, payable semi-annually, and to be exchanged at par for the over due stock, to bear date from the date of payment of the certificates of the said stock for which they shall be respectively exchanged, and to be made payable twenty years from date. City Council of Charleston to issue coupon bonds in exchange for over due stock.

## STATUTES AT LARGE

A. D. 1874.

Bonds not  
taxable by city.

SEC. 2. The said bonds shall not be taxable by the city of Charleston for any purpose whatsoever, and the coupons shall be receivable in payment of taxes due to the said city.

City Council  
to designate  
places where  
principal and  
interest shall  
be paid.

SEC. 3. That the principal and interest of said bonds shall be payable at such places as the City Council may, by ordinance, provide.

Approved March 16, 1874.

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NO. 590. AN ACT TO CHARTER FRIENDLY FERRY, ACROSS THE EDISTO RIVER.

Friendly  
Ferry rechar-  
tered.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Friendly Ferry, across the Edisto River, be, and the same is hereby, chartered and its chartered rights vested in James Friendly, his heirs and assigns. The rates of toll shall conform to the provisions of Chapter forty-seven of the General Statutes of South Carolina.

SEC. 2. This Act shall be deemed a public Act and remain in force until repealed.

Approved March 17, 1874.

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NO. 591. AN ACT TO CHARTER A FERRY ACROSS STONO RIVER, IN COLLETON COUNTY.

Charter of  
ferry across  
Stono River  
vested in cer-  
tain persons.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry shall be, and the same is hereby, established from a place known as James's Landing, on the Stono River, in Colleton County, to a point known as Jenkins's Landing, on said river, and that the said ferry shall be vested in James Stanford, Joe Hines, Robert Tarlton, T. Small and Hackey Simmons, their heirs and assigns, for the term of fourteen

Rates of toll. years, with the following rates of toll, to wit: For each man and horse, fifteen (15) cents; for each led horse, ten (10) cents; for each foot passenger, five (5) cents; for each vehicle drawn by four (4) horses, eighty (80) cents; for each vehicle drawn by two (2) horses, fifty (50) cents; for each vehicle drawn by one horse, twenty-five (25) cents; for each head of cattle, ten (10) cents; for each



head of hogs, sheep or goats, five (5) cents: *Provided*, That children going to or from school, persons going to and from church, elections or parades of militia, shall be passed free over said ferry.

A. D. 1874.

Proviso.

Approved March 17, 1874.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF CLARENDON COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD FROM THE MANNING ROAD, NEAR MCFADDIN'S STORE, TO THE CADE ROAD, NEAR THE WILLIAMSBURG LINE. No. 592.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Clarendon County be, and they are hereby, empowered and required to open, establish and keep in repair a public road, commencing on the Manning Road, near J. H. McFaddin's store, extending so as to intercept the Pudding Swamp Road near Johnston's Crossing, thence leaving the Pudding Swamp Road near W. F. Kennedy's, and from thence extending in as nearly a direct course as possible until it intercepts the Cade Road at the Williamsburg line.

County  
Commissioners  
of Clarendon to  
repair certain  
road.

Approved March 17, 1874.

AN ACT TO CHARTER THE SOUTHERN INSURANCE, SAVINGS, BANKING AND TRUST COMPANY, OF SOUTH CAROLINA. No. 593.


SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John R. Cochran, Henry Kennedy, E. E. Keese and T. J. Webb, together with such other persons as are now or may hereafter be associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Southern Insurance, Savings, Banking and Trust Company, of South Carolina, and by that name and style shall be, and are hereby, made capable in law to have, hold and exercise the same rights, franchises and privileges granted to the State Savings and Insurance Bank, of Anderson, South Carolina, and the Union Savings Bank, of Columbia, South Carolina, in accordance with the provisions of

Corporators.

Corporate  
name.

Powers and  
privileges.



A. D. 1874.  the charter of the same in the Acts entitled "An Act to charter the State Savings and Insurance Bank, of Anderson, South Carolina," and "An Act to charter the Union Savings Bank, of Columbia, South Carolina," approved, respectively, February 27, 1873, and March 13, 1873: *Provided*, That said incorporators, associates and successors shall comply with the requirements of Section 6 of Article XII of the Constitution of the State of South Carolina.

Proviso.

SEC. 2. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, conflicting with the provisions of this Act be, and the same are hereby, repealed.

Conflicting  
Acts repealed.

Approved March 17, 1874.

No. 594. AN ACT TO EXEMPT FROM ATTACHMENT, LEVY AND SALE ALL POOR FARMS, POOR HOUSES OR HOSPITALS, COURT HOUSES, JAILS AND ALL OTHER PUBLIC PROPERTY, OF WHATSOEVER KIND OR DESCRIPTION, THAT ARE ACTUALLY USED AS SUCH, FOR DEBTS DUE BY THE COUNTY IN WHICH SUCH FARMS, HOUSES AND HOSPITALS ARE SITUATED.

Public prop-  
erty of Coun-  
ties exempt  
from attach-  
ment and sale.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all County poor farms, poor houses and hospitals, court houses, jails and all other public property, of whatsoever kind or description, actually used as such, be, and the same are hereby, exempted from attachment, levy and sale on account of any judgment, lien or any claim whatsoever against such County to which such farms, houses and hospitals may belong.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 595. AN ACT TO CHANGE THE NAMES OF CERTAIN INDIVIDUALS HEREIN MENTIONED.

Caroline War-  
ing *et al.*, names  
changed to  
Pinckney.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Camlin, Emma, Middleton, Tabby, Limus, Fanny, Calvin, Luther, Amelia and Lula Waring, of Abbeville County, be changed

to Camlin, Emma, Middleton, Tabby, Limus, Fanny, Calvin, Luther, Amelia and Lula Pinckney, and that they be declared the legal heirs of Limus Pinckney.

A. D. 1874.

SEC. 2. That the name of Russell Wilson, of Orangeburg County, be changed to Russell Keit.

Russell Wilson's name changed to Keit.

SEC. 3. That the name of James Preston Coleman, of Union County, be, and is hereby, changed to James Preston Knuckles.

J. P. Coleman's name changed to Knuckles.

SEC. 4. That James Smiley, of Colleton County, and the members of his family, be, and they are hereby, authorized and empowered to change their surname to that of Howard.

James Smiley's name changed to Howard.

SEC. 5. That the names of Sampson Montgomery, Harry and Lisbon Montgomery, Antrum Hunt and Will Salters, of Williamsburg County, be changed to Sampson Giles, Harry Giles, Lisbon Giles, Antrum Giles and Will Giles.

S. Montgomery *et al.*, names changed to Giles.

SEC. 6. That Mary McCarthy be, and she is hereby, authorized and empowered to change her name to Lillie Louisa McGuinness.

Mary McCarthy to Lillie Louisa McGuinness.

SEC. 7. That the name of William DeSaussure Vanderford be changed to William DeSaussure Harris.

Vanderford to Harris.

SEC. 3. That the names of Jeremiah Belew and Henry Belew, of Union County, be changed to that of Jeremiah Long and Henry Long.

Belew to Long.

SEC. 9. That the names of Daniel Erwin and Mollie Ann Erwin be changed to Daniel Anderson and Mollie Ann Anderson, and that the said Daniel Anderson and Mollie Ann Anderson shall hereafter be deemed lawful heirs of W. T. Anderson, and shall, upon the death of the said W. T. Anderson, providing he die intestate, inherit his property in common with his other lawful heirs.

Erwin to Anderson.

Approved March 17, 1874.

# AN ACT TO INCORPORATE THE CONGAREE REAL ESTATE, No. 596. BUILDING AND LOAN ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, Samuel B. Thompson, A. W. Curtis, John T. Gilmore, George A. Richmond, A. O. Jones, C. Minort, L. L. Brown, John Nott and J. J. Goodwin, together with such other persons as now are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate or personal property, or by conveyance of

Corporators.

A. D. 1874.

Corporate  
name.

Capital stock.

the same to their members and stockholders, or other persons, by the name and style of the Congaree Real Estate, Building and Loan Association, the capital stock of which shall not exceed four thousand shares, to be paid in by successive monthly installments of one dollar on each share, so long as the corporation shall continue. Said corporation may issue to its members certificates of deposit or vouchers, in acknowledgment of money received, in such form as may be agreed upon and accepted by said members. The said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payment, according to such regulations as may be prescribed by the by-laws of said corporation: *Provided*, That this association shall not organize or commence its operations until at least two hundred shares have been subscribed.

Proviso.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of members and officers as shall be ordained and chosen according to said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Proviso.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, to its members and others, on such terms, and under such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of three hundred thousand dollars.

Funds of cor-  
poration may  
be loaned to  
stockholders  
and others.

SEC. 4. That the funds of said corporation shall be loaned and advanced to its members and stockholders, or others, upon security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations, as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements and hereditaments and personal property as shall be mortgaged or conveyed to them in good faith, by way of security, upon its loans and advances; and may sell, alien or otherwise dispose of the same to its members, stockholders, or others, as they from time to time may deem expedient.

SEC. 5. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received or be entitled to receive the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

A. D. 1874.

Corporation  
to cease upon  
payment of a  
certain amount  
to stockholders

SEC. 6. This Act shall be deemed a public Act and the same may be given in evidence without specially pleading the same.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE TRUE BLUE UNION REPUBLICAN No. 597.  
SOCIETY, OF ST. HELENA ISLAND.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bristol Powell, T. G. Glover, P. W. Simmons, R. D. Richardson, James Powell, Bram Richardson, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the True Blue Union Republican Society, of St. Helena Island.

Corporators.

Corporate  
name.

SEC. 2. The said corporation shall have a common seal, and shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court in this State, and may make such rules and by-laws, not repugnant to law, as may be considered necessary and expedient.

Powers and  
privileges.

SEC. 3. That this Act shall be deemed a public Act and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RE- No. 598.  
LIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BE-  
CAUSE OF THEIR POLITICAL OPINIONS," APPROVED MARCH 13,  
1872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the relief of the widows and orphans of per-

Act for relief  
of widows and  
orphans  
amended.



A. D. 1874. sons killed because of their political opinions," approved March 13, 1872, be, and the same is hereby, amended so as to embrace the County of Abbeville.

SEC. 2. This Act shall take effect from and after its passage.

Approved March 17, 1874.

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No. 599. AN ACT TO CONFER THE RIGHT OF LEGITIMACY ON CERTAIN CHILDREN.

Children of  
Celia Lyde le-  
gitimized.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the children begotten of the body of Celia Lyde, late of Darlington County, deceased, called by the names of Silas Lyde and Kate Jackson, *nee* Lyde, be, and they are hereby, invested with all the rights and privileges of legitimate children, in the same manner and to the same extent as if they had been born in lawful wedlock.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

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No. 600. AN ACT TO INCORPORATE THE LONE STAR DEBATING AND CHARITABLE CLUB, OF COLUMBIA, S. C.

Corporators.

Corporate  
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. J. Andrews, James Hicks, Joseph Foster, London Johnson, Elleck Coltry, together with other persons who now are or may hereafter be associated with them, be, and they are hereby, declared a body corporate, under the name and style of the Lone Star Debating and Charitable Club, of Columbia, South Carolina, and shall have succession of officers, and shall have a common seal.

Powers and  
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE PRIOLEAU RIFLE CLUB, OF  
CHARLESTON COUNTY.

A. D. 1874.

No. 601.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bodo Richardson, Brass Prioleau, Stephen Smalls, Francis Brown, Class Smalls and James Footmand, and all other persons who now are or may hereafter become members of the Prioleau Rifle Club, of Charleston County, be, and are hereby, constituted and declared a body politic and corporate, by the name and style of the Prioleau Rifle Club, of Charleston County, S. C.

Corporators.

Corporate name.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members according to its by-laws, and shall have power to make all necessary by-laws not repugnant to the laws of the land; to sue and be sued, plead and be impleaded, in any of the Courts of this State; and to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise or bequest, or in any manner whatsoever, and the same, or any part thereof, to sell, alien, encumber, mortgage or convey at the will and pleasure of such corporation: *Provided*, That the amount of property, real and personal, so held shall not at any one time exceed the sum of twenty-five thousand dollars.

Powers and privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO DESIGNATE PLACES FOR THE COLLECTION OF  
TAXES IN FAIRFIELD COUNTY.

No. 602.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following places, to wit: Youngsville, Gladden's Grove, Winnsboro, Ridgeway, Doko, Monticello, Feasterville, Jenkinsville, Durham Precinct and Horeb, be, and they are hereby, designated and declared to be points for the collection of taxes in Fairfield County.

Places for collection of taxes in Fairfield County designated.

A. D. 1874.

County Treas-  
urer to attend  
at each.

SEC. 2. That the Treasurer of said County, or his deputy, be, and he is hereby, required to attend at each of said places, for the purpose of collecting taxes, at least three days during the period fixed by law for the collection of such taxes.

SEC. 3. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

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No. 603. AN ACT TO AUTHORIZE AND EMPOWER H. R. BOX, JOSEPH M. LAWTON AND OTHERS TO ERECT AND CONTINUE, FOR A TERM OF FOUR YEARS, TWO GATES ACROSS THE SAVANNAH AND AUGUSTA ROAD.

Certain par-  
ties to erect  
gates.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. R. Box, Joseph M. Lawton and others be, and they are hereby, authorized and empowered to erect and continue, for a term of four years, two gates across the Savannah and Augusta Road, in Beaufort County: *Provided*, That the gates shall be built of durable material, and constructed in such a manner as to afford the least trouble to travelers in their passage.

SEC. 2. That each person residing within the area protected by said gates shall be held responsible for any damage committed by his stock.

SEC. 3. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

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No. 604. AN ACT TO REGULATE THE MANNER IN WHICH PUBLIC FUNDS SHALL BE DISBURSED BY PUBLIC OFFICERS.

Public offi-  
cers not to  
make contracts  
in excess of  
amount appro-  
priated or levied  
for the pur-  
pose.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be unlawful for any public officer, State or County, authorized by law to so contract, to enter into or contract, for any purpose whatsoever, in a sum in excess of the tax levied, or the amount appropriated for the accomplishment of such purpose.

SEC. 2. It shall be unlawful for any public officer, State or County, to divert or appropriate the funds arising from any tax levied and collected for any one fiscal year to the payment of any indebtedness contracted or incurred for any previous fiscal year.

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Public funds not to be diverted from payment of indebtedness of one year to that of another.

SEC. 3. Should any public officer in any manner whatsoever violate the provisions of the first two Sections of this Act, he shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine not exceeding five thousand dollars and not less than five hundred dollars, and by imprisonment at hard labor in the State Penitentiary for a period not exceeding five years nor less than one year, or either or both, in the discretion of the Court. This Act shall take effect immediately after its passage.

Penalty for violation of Act.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE HARTSVILLE AGRICULTURAL ASSOCIATION, OF DARLINGTON COUNTY. No. 605.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Braley, Emanuel Lever, Isaac Alexander, Alexander Cuffey, Benjamin Jackson, Glenn Jackson, Charles Robertson, Antrum Wright, Davy Brunson, John Brunson and Lewis Farmer, and their associates and successors in office, be, and they are hereby, declared a body politic and corporate, under the name and style of the Hartsville Agricultural Association, of Darlington County, with a capital stock of twenty-five thousand dollars, with power to increase the same to one hundred thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same or any part thereof to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each cor-

Powers and privileges.

Proviso.



A. D. 1874.

porator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act and shall have force until repealed.

Approved March 17, 1874.

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No. 606. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO BUILD A BRIDGE ACROSS TYGER RIVER.

County Commissioners of Newberry County to build a bridge across Tyger River.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Newberry County be, and they are hereby, authorized and required to build a bridge across Tyger River at or close by Gordon's Ferry, in said County.

SEC. 2. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge.

Approved March 17, 1874.

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No. 607. AN ACT TO CHARTER THE GEORGETOWN AND NORTHWESTERN NARROW GAUGE RAILROAD COMPANY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of constructing a railroad from the town of Georgetown to such point or places as are hereinafter stated, that J. B. Kershaw, Wm. M. Shannon, Thomas B. Fraser, Edward Burroughs, S. W. Maurice, S. A. Swails, A. Morgan, J. G. Bowley, H. Kaminski, B. I. Hazard, W. W. Walker, B. F. Wickersham and Geo. R. Congdon, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name of the "Georgetown and Northwestern Narrow Gauge Railroad Company," and by such title shall have a corporate existence for the term of forty years; and may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; and may have and use a common seal, which it may change or alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying

Corporate name.

Powers and privileges.

estates, real, personal and mixed, and other property, and of acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government not inconsistent with the laws of the State of South Carolina.

A. D. 1874.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from the town of Georgetown to the town of Camden, passing through the Counties of Georgetown, Williamsburg, Clarendon, Sumter and Kershaw, by such route as shall be found most suitable and advantageous, and with privilege of extending said road from Camden to the North Carolina State line, in the direction of Charlotte, or from Camden in the direction of or to the town of Chester, by such routes as may be deemed advisable by said company, and to construct bridges across such rivers and streams as may be found necessary to complete said railroad.

Line of road.

May construct bridges.

SEC. 3. That the said company may also own, lease or charter such steamers, vessels or other water craft as may be necessary to conduct a general freighting and passenger business.

May lease steamers and conduct freight and passenger business.

SEC. 4. That the said company shall lay a narrow gauge track, and may run such branches from its main track to the distance of twenty miles, in such direction as may be deemed necessary: *Provided*, That said branches may be laid with wooden or iron rails.

May lay narrow gauge and construct branches.

SEC. 5. That the capital stock of said company shall be one and a half million dollars, in shares of fifty dollars (\$50) each, with privilege of increasing the said capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act; and the shares shall be personal property, transferable in such manner as the by-laws may direct; and for the purpose of raising such capital stock, it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the said company may determine. And that said subscription to the capital stock may be made in money, bonds, lands, material and work, at such rates as may be agreed upon with the said company; and that each and every person subscribing land shall execute a deed of the same to the said company. And the said railroad company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions, and for such purposes and uses of said corporation, as the President and Board of Directors may deem necessary.

Capital stock.

Subscriptions thereto—in what payable.

May issue bonds.

SEC. 6. That it shall be lawful for any city or town in this State interested in the construction of said railroad to subscribe to the capital stock of the same, according to such rules and regulations as are by law now made and provided for such purposes. And the several Counties interested in the construction of said road are

Cities, &c., interested may subscribe.

A. D. 1874.

Subscription  
payable in  
bonds.

hereby authorized to subscribe to its capital stock such sum as a majority of their voters may authorize their constituted authorities to subscribe, which subscription shall be made in seven (7) per cent. County bonds, payable in periods of ten, fifteen and twenty years, the interest to be raised annually by taxation.

County Audi-  
tors to assess  
per centum to  
pay interest  
thereon.

SEC. 7. That whenever any subscription shall be made by any County to the road as aforesaid, it shall be the duty of the County Auditor, or other officer discharging such duties, to assess, annually, upon the property of such County, such per centum as may be necessary to pay the annual interest required by said subscription, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the County Treasurer under the same regulations as are provided by law for the collection of State and County taxes, and which shall be paid over by the said County Treasurer to the holders of the said bonds, annually, as the said interest may become due: *Provided*, That all dividends paid by the said company upon its stock held by the several Counties shall be set apart and held by the said County Treasurers to be used only in the liquidation of the principal and interest of the said County bonds; and that when the said bonds become due, the money to pay the same shall be raised by taxation in the same manner, and paid out by the County Treasurer, as provided above for the payment of the annual interest.

Dividends to  
be set apart to  
liquidate said  
bonds.

Counties to  
be represented  
in conventions  
of stockholders

SEC. 8. That in all conventions of the stockholders of said company, such County or town as may subscribe to the capital stock thereof may be represented by not less than three, nor more than five, delegates, who shall be chosen by a convention of the taxpayers of such County or town.

Entitled to  
all rights, &c.,  
granted to oth-  
er railroad  
companies.

SEC. 9. That for the purpose of acquiring such lands or right of way as they may require for the location and construction of the said railroad and branches, or for the erection or location of such depots, warehouses, stations, wharves and other necessary establishments, or for extending or altering the same, the said company shall have every right, privilege and power heretofore granted to, and which now is or has been used, possessed or enjoyed by any railroad company heretofore incorporated in this State; and shall, also, be entitled to the use and benefit of every process or proceeding provided by law for enabling any other railroad company in this State to obtain such lands or rights of way as they might require in cases in which the consent of the owners cannot be obtained.

Exclusive  
right of trans-  
portation.

SEC. 10. That the said company shall have the same exclusive right of transportation on their road and branches which is possessed and enjoyed by any other railroad in this State; and persons trespassing or intruding upon the said railroad and its branches



shall be liable to all the penalties provided by law for the prevention of trespasses or intrusions upon any other railroad; and any person who shall willfully destroy, damage or obstruct the said road, or any branch or part thereof, shall be liable to all the penalties to which persons willfully destroying, damaging or obstructing any other railroad are made liable by any law of the State.

A. D. 1874.

Penalty for  
injuring prop-  
erty.

SEC. 11. That the said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands or right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other internal improvements," ratified September 22, 1868; and that this Act shall be deemed a public Act and shall continue in force for the term of forty years: *Provided*, That the work on the said road shall be commenced within two years from the passage of this Act and completed within five years thereafter.

Subject to  
provisions of  
certain Act.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE UNION HOTEL COMPANY, IN UNION COUNTY. No. 608.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, Thomas B. Jeter, William Munro, A. H. Foster, B. D. Culp, H. L. Goss, W. D. Humphries, John Rodgers, and all other persons who are now or hereafter may be associated with them as stockholders in said company, shall be, and they are hereby declared to be, a body corporate, by the name and style of "The Union Hotel Company," and by their said name shall have succession of officers and members and have a common seal.

Corporators.

Corporate  
name.

SEC. 2. That the said corporation shall have power to purchase, possess and hold any real or personal property, not exceeding in value the sum of thirty thousand dollars, or to sell and convey the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as may be deemed necessary or expedient.

Powers and  
privileges.

SEC. 3. This Act shall be deemed a public Act and continue in force for twenty-five years, or until repealed.

Approved March 17, 1874.



A. D. 1874. AN ACT TO INCORPORATE THE CAMDEN INDEPENDENT FIRE  
 No. 609. ENGINE COMPANY, No. 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James L. Brasington, Henry Mitchell, Stephen Collins, Isaac Scott, Frank Carter, Alfred Alerson, Saby Brown, William Bailey, John Henderson, George McLaw, James Small, and their associates and successors in office, be, and they are hereby, constituted a body politic, under the name and style of the Camden Independent Fire Engine Company, No. 1, with a capital stock not exceeding ten thousand (10,000) dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will; and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

Corporators.   
 Corporate name.   
 Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act and remain in force fourteen years.

Approved March 17, 1874.

No. 610. AN ACT TO ESTABLISH A PUBLIC ROAD IN ORANGEBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately from and after the passage of this Act the County Commissioners of Orangeburg County be, and they are hereby, empowered, authorized and required to lay out, open and keep in repair a public road from the "New Bridge," across the North fork of Edisto River, near Branchville, to a point intersecting with the "Binnicker's Bridge Road," at or near Easterlin's Mill, in said County.

County Commissioners to lay out public road.   
 Line of same.   
 May require persons liable to road duty to work on same.

SEC. 2. That for the purpose of establishing said road the County Commissioners of said County shall have the right to order out all persons liable to road duty within the townships through which the same shall pass to work upon said road not exceeding five days.

Approved March 17, 1874.

## AN ACT TO AMEND SECTION 52 OF CHAPTER XX OF THE GENERAL STATUTES OF SOUTH CAROLINA.

A. D. 1874.

No. 611.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 52 of Chapter XX of the General Statutes be so amended as to read as follows: "That all sales of personal or real estate, or other interest, hereafter ordered to be made by the Courts of Common Pleas or Courts of Probate shall be made by the Sheriff of the County in which said real or personal estate or other interest is at the time said sale is ordered: *Provided*, That sales of the personal property of estates, ordered by either of said Courts, shall be made by the executor or administrator, as the case may be, of such estate, unless for satisfactory reasons otherwise ordered by the Court."

Sales by order of Court to be made by Sheriff of County where property is situated.

Proviso.

SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 17, 1874.

## AN ACT TO AMEND SUBDIVISION 3 OF SECTION 2, CHAPTER LXXXV, TITLE II, PART II, OF THE GENERAL STATUTES, RELATING TO TITLE TO REAL PROPERTY BY DESCENT. No. 612.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That subdivision 3 of Section 2, Chapter LXXXV, Title II, Part II, be amended by adding thereto the words: "The children of a deceased brother or sister shall take among them, respectively, the share which their respective ancestors would have been entitled to had they survived the intestate."

Shares of deceased brother and sister.

Approved March 17, 1874.

## AN ACT TO REPEAL SECTION 2, CHAPTER XCIX, TITLE VII, OF THE GENERAL STATUTES OF SOUTH CAROLINA. No. 613.

Whereas Article XIV, Section 5, declares divorces from the bonds of matrimony shall be allowed as shall be prescribed by law; and whereas an Act to regulate the granting of divorces was approved January 21, 1872; and whereas an Act to approve, adopt and make of force the General Statutes of South Carolina, pre-

Preamble.

A. D. 1874.

pared under the direction and by the authority of the General Assembly, became a law February 10, 1872; and whereas grave doubts exist as to the operation of Section 2, Chapter XCIX, Title VII, of the General Statutes, in cases of divorce; therefore,

Provision of  
General Stat-  
utes relative to  
divorces re-  
pealed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2, Chapter XCIX, Title VII, of the General Statutes of South Carolina be, and the same is hereby, repealed.

Approved March 17, 1874.

No. 614. AN ACT TO REGULATE THE NUMBER AND PAY OF OFFICERS, ATTACHEES, CLERKS AND LABORERS OF THE GENERAL ASSEMBLY, AND TO PROVIDE THE MANNER OF ELECTING, APPOINTING AND PAYING THE SAME.

Preamble.

Whereas, in the interest of financial reform and good government, an economical expenditure of the public moneys is essential; and whereas a great reduction in the expenses of the General Assembly is imperative, and, to this end, it is our duty that the number and pay of the clerks and attachees of the General Assembly be limited by law, as pledged to the people in the platform of the Republican party; therefore,

Clerk of Sen-  
ate, election  
and salary.

Reading Clerk  
and Sergeant-  
at-Arms, elec-  
tion and pay of.

President of  
Senate to ap-  
point at-  
tachees.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the Senate shall, immediately after assembling in regular session, proceed to the election of a Clerk of the Senate, whose salary shall be fixed by the Committee on Finance of the Senate: *Provided*, That it shall not exceed that now paid; one Reading Clerk, who shall receive six dollars per day; one Sergeant-at-Arms, who shall receive six dollars per day.

Pay of same  
fixed.

SEC. 2. That it is hereby made the duty of the President of the Senate to appoint, before the first Monday after the Senate shall have met in regular session each year, the following: One Assistant Clerk, who shall be recommended by the Clerk of the Senate, whose duty shall be to assist the Clerk of the Senate in preparing the business of that body, and whose pay shall be fixed by the Committee on Finance; one Chief Messenger or Bill Clerk, who shall receive three (3) dollars per day; three Committee clerks, who shall receive five (5) dollars per day each; two doorkeepers, who shall each receive three (3) dollars per day; three laborers, who shall



each receive three (3) dollars per day; and four pages, who shall receive one dollar and fifty cents per day each; and the above named chief messenger, doorkeepers, laborers and pages shall be under the control and supervision of the Sergeant-at-Arms of the Senate, and it is hereby made their duty to obey all reasonable orders or commands made by him. One porter for the office of Clerk of the Senate, to be under the direction of said Clerk, and to receive three dollars per day.

A. D. 1874.

Duties of such  
attachees.

SEC. 3. That on and after the passage of this Act, the House of Representatives, immediately after assembling in regular session, shall proceed to the election of a Clerk of the House of Representatives, whose salary shall be fixed by the Committee on Ways and Means of the House of Representatives: *Provided*, It shall not exceed that now paid; one Reading Clerk, who shall receive six dollars per day; one Sergeant-at-Arms, who shall receive six dollars per day.

Clerk of  
House, election  
and pay of.Reading Clerk  
and Sergeant-  
at-Arms, elec-  
tion and pay of.

SEC. 4. That it is hereby made the duty of the Speaker of the House of Representatives to appoint, before the first Monday after the House of Representatives shall have met in regular session each year, the following: One Assistant Clerk, who shall be appointed on the recommendation of the Clerk of the House of Representatives, whose duty it shall be to assist the Clerk of the House of Representatives in preparing the business of that body, and whose pay shall be fixed by the Committee on Ways and Means of the House of Representatives; one Journal Clerk, who shall receive one thousand dollars per annum and shall be appointed on the recommendation of the Clerk of the House; one Assistant Sergeant-at-Arms, who shall receive five (5) dollars per day; one Chief Messenger or Bill Clerk, who shall receive five (5) dollars per day; six Committee clerks, who shall receive five (5) dollars per day each; three doorkeepers, who shall receive three (3) dollars per day each; three messengers and four laborers, who shall receive three (3) dollars per day each; and four pages, who shall receive one dollar and fifty cents (\$1.50) per day each; one mail carrier, who shall receive three (3) dollars per day; and the above named Assistant Sergeant-at-Arms, Chief Messenger, janitor, doorkeepers, messengers, laborers and pages shall be under the control and supervision of the Sergeant-at-Arms of the House of Representatives, and it is hereby made their duty to obey all reasonable orders or commands made by him. The Committee clerks, as hereinbefore provided by this Section, shall serve for the following Committees: One for the Committees on Claims and Railroads, one for the Committees on Ways and Means and Education, and one for the Committees on Judiciary and Roads, Bridges and Ferries, and shall be

Speaker to  
appoint at-  
tachees.Pay of same  
fixed.Duties of such  
attachees.Duties of Com-  
mittee clerks.



A. D. 1874.

under the direction of the Chairman of the respective Committees to which they are assigned: *Provided*, That not more than two of the appointees herein provided for shall be appointed for one County.

Secretary of State to appoint Engrossing clerks.

SEC. 5. That it shall be the duty of the Secretary of State to appoint six engrossing or enrolling clerks, whose duty it shall be to properly engross and enroll, without delay, all Bills, Acts or resolutions of the General Assembly, under the supervision and direction of the Secretary of State, and who shall receive for such services six (6) dollars per day each; also, one porter, who shall receive three (3) dollars per day.

Pay of same.

Attorney General to appoint attorneys and clerks.

SEC. 6. That it shall be the duty of the Attorney General to appoint two attorneys at law and two clerks, whose duty shall be to properly prepare, without delay, all Bills, resolutions and other matter for the use of the General Assembly, under the supervision and direction of the Attorney General, and who shall receive for such service six (6) dollars per day each.

Pay of same.

In case of recess beyond ten days, to receive no pay.

SEC. 7. That if at any time the General Assembly shall take a recess for more than ten days, no attachee of the General Assembly shall be entitled to pay during such recess.

Number of attachees not to be increased.

SEC. 8. That hereafter the number of attachees as provided for in this Act shall never be increased except by Act or Joint Resolution.

List of attachees to be furnished State Treasurer.

SEC. 9. That it shall be the duty of the President of the Senate, Speaker of the House of Representatives, Secretary of State and Attorney General to furnish to the Clerks of the two branches of the General Assembly the names of the clerks, attorneys, Sergeant-at-Arms, doorkeepers, messengers, laborers, pages or other attachees, as provided by this Act, either elected or appointed; and the aforesaid Clerks of the two branches of the General Assembly shall furnish the State Treasurer a properly-attested list of the same.

Certificates of attachees, by whom signed.

SEC. 10. That for the payment of such attachees as provided for in this Act, the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount due to each attachee by that branch of the General Assembly by which said attachee shall be employed, duly signed by them, and the signature of such presiding officer, respectively, properly attested to by the Clerk of such branch of the General Assembly: *Provided, however*, That the pay certificates for services rendered common to the two houses by the attachees of the offices of the Secretary of State and Attorney General shall be signed conjointly by the presiding officers, and their signatures properly attested to by the Clerks of the two houses and certified to by the Secretary

of State and the Attorney General for the attachees of each office, respectively; and in making appropriations for the payment of subordinate officers and attachees, as provided for in this Act, whether elected or appointed, the name of every such subordinate officer, attachee, clerk, messenger, page, doorkeeper, attorney, &c., &c., as provided for in this Act, with the amount due to each and every one, shall appear in full in the Bill; and the State Treasurer is hereby prohibited from paying, after the passage of this Act, any pay certificate of such attachee, as herein provided for, unless the same be issued in conformity with the provisions herein contained.

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Names of attachees to appear in appropriation Bill.

Treasurer to pay only those so named in said Bill.

SEC. 11. That any person holding or exercising the duties of any other office shall not be eligible to appointment or election under this Act; and no person shall be eligible to election or appointment under this Act who is not a permanent resident of the State.

Office holders and non-residents of State not eligible.

SEC. 12. That all Acts or parts of Acts, Resolutions or parts of Resolutions, inconsistent to or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

AN ACT TO REPEAL A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO REQUIRE THE GOVERNOR TO COMMUNICATE WITH THE PROPER AUTHORITIES OF GEORGIA, WITH A VIEW TO THE READJUSTMENT OF THE BOUNDARY LINE BETWEEN THE STATES OF GEORGIA AND SOUTH CAROLINA, AND AUTHORIZING THE APPOINTMENT OF THREE COMMISSIONERS." No. 615.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution entitled "A Joint Resolution to require the Governor to communicate with the proper authorities of the State of Georgia with a view to a readjustment of the boundary line between the States of Georgia and South Carolina, and authorizing the appointment of three Commissioners," approved January 8, 1872, be, and the same is hereby, repealed.

Joint Resolution relative to boundary line between Georgia and South Carolina repealed.

Approved March 17, 1874.

A. D. 1874. **AN ACT TO PUNISH PERSONS FOR ILL-TREATING CHILDREN, APPRENTICES, IDIOTS, SERVANTS AND HELPLESS PERSONS.**  
 No. 616.

Persons ill-treating children, servants, &c., deemed guilty of a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whosoever, being legally liable, either as parent, guardian, master or mistress, to provide for any child or children, apprentice or servant, idiot or helpless person, necessary food, clothing or lodging, shall willfully and without lawful excuse refuse or neglect to provide the same, or shall unlawfully and maliciously do, or cause to be done, any bodily harm to any such child or children, apprentice, servant, idiot or helpless person, so that the life of such child or children, apprentice, servant, idiot or helpless person shall be endangered, or the health or comfort of such child or children, apprentice, servant, idiot or helpless person shall have been, or likely to be, permanently injured, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a fine of not less than two hundred dollars nor more than one thousand dollars, or be imprisoned for any term not exceeding two years, with or without hard labor, one or both, at the discretion of the Court.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 617. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION OF DERELICT ESTATES."**

Act to provide for administration of derelict estates amended.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the words "and such Clerk shall give bond, with two sureties, for the faithful discharge of his duty as such administrator, in such amount as would be required of any other administrator," in Section 1 of the Act, be stricken out and the following be substituted: "And the Clerk shall be held liable, on his official bond, for the faithful discharge of his duties as such administrator;" also, that all of Section 3 of same Act be stricken out.

Approved March 17, 1874.



AN ACT TO REGULATE THE SERVICE OF LEGAL PROCESS UPON  
RAILROAD AND EXPRESS COMPANIES.

A. D. 1874.

No. 618.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the service of any legal process upon any agent of any railroad or express company within the limits of this State shall be taken and held to be a valid service upon such corporations.

Legal powers  
upon railroad  
and express  
companies,  
how served.

SEC. 2. All Acts or parts of Acts, Resolutions and parts of Resolutions, inconsistent or conflicting with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

AN ACT TO REGULATE THE TIMES OF HOLDING THE COURTS  
OF GENERAL SESSIONS AND COMMON PLEAS IN THE FOURTH  
CIRCUIT.

No. 619.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Circuit Courts in the Fourth Circuit shall be held as follows:

(1.) The Court of General Sessions at Chesterfield, for the County of Chesterfield, on the first Monday in January, May and September; in January and September to continue for two weeks, if so long be necessary, and in May one week. The Court of Common Pleas at Chesterfield, for the County of Chesterfield, on the Wednesday after the opening of the Court of Sessions on the first Monday in January, May and September.

Time of  
holding Courts  
in Chesterfield  
County.

(2.) The Court of General Sessions at Bennettsville, for the County of Marlboro, on the third Monday in January, second Monday in May and third Monday in September; to continue for two weeks in January and September, if so long be necessary, and one week in May. And the Court of Common Pleas at Bennettsville, for the County of Marlboro, on the first Wednesday after the third Monday in January and September, and first Wednesday after the second Monday in May.

Marlboro  
County.

(3.) The Court of General Sessions at Darlington, for the County of Darlington, on the first Monday in February, the third Monday in May and first Monday in October; to continue for four weeks, if so long be necessary, in February and October, and one week in May. The Court of Common Pleas to be holden at Darlington,

Darlington  
County.



A. D. 1874. for the County of Darlington, on the first Wednesday after the first Monday in February, third Monday in May and first Monday in October.

Marion County. (4.) The Court of General Sessions at Marion, for the County of Marion, on the second Monday of March, fourth Monday in May and second Monday in November; to continue for four weeks, if so long be necessary, in March and November, and one week in May. The Court of Common Pleas to be holden at Marion, for the County of Marion, on the first Wednesday after the second Monday in March, fourth Monday in May and second Monday in November.

Horry County. (5.) The Court of General Sessions at Conwayboro, for the County of Horry, on the first Monday in March, August and November; to continue for one week at each term. The Court of Common Pleas to be holden at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday in March, August and November.

SEC. 2. That for the Spring and Fall Terms of the Courts in Darlington and Marion County, the Board of Jury Commissioners for the Counties, respectively, shall draw two sets of Common Pleas and petit jurors, each set to serve two weeks.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 620. AN ACT TO INCORPORATE THE TOWN OF EASLEY, IN THE COUNTY OF PICKENS.

Town of Easley incorporated. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Easley shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Easley, and its Corporate limits. corporate limits shall extend one-half mile from the depot of the Atlanta and Richmond Air Line Railway Company in a direction due North, South, East and West, and shall include a square formed upon the extremities of lines so drawn.

Officers. SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified

voters of the said town on the third Monday in April next, and every year thereafter on the third Monday in April, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Pickens County shall designate three suitable persons, citizens of said town, to act as Managers of the election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

A. D. 1874.

Election, time of holding.

Clerk of Court to appoint Managers of Election.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject in every respect to the provisions, of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13th, 1872.

Provisions of charter of town of Ninety-Six to apply to Easley.

SEC. 4. This Act shall be deemed a public Act and continue in force until repealed.

Approved March 17, 1874.


## AN ACT TO REGULATE THE PUBLIC PRINTING.

No. 621.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Clerk of the Senate and the Clerk of the House, immediately after the passage of this Act, and thereafter on the first day of December of every second year, to advertise, for ten days, in the daily papers of Charleston and Columbia, for sealed proposals for executing, for the term of two years, the permanent and current printing of the General Assembly, as follows: One hundred copies per day of the Senate Calendar; two hundred copies per day of the House Calendar; one hundred copies per day of the Senate Journal; two hundred and fifty copies per day of the House Journal; one hundred copies of Senate Bills and Joint Resolutions; two hundred copies of House Bills and Joint Resolutions; fifteen hundred copies of the Governor's Messages; five hundred copies, each, of the reports of the Treasurer, Attorney General, Secretary of State, Comptroller General, Adjutant and Inspector General, Superintendent of Education; five hundred

Clerks of House and Senate to advertise for proposals for printing.

Manner of work to be performed.

A. D. 1874.  copies, each, of the reports of the various public institutions, such as Penitentiary, Lunatic Asylum, State Orphan House, &c., &c.; two thousand five hundred copies of the Acts and Joint Resolutions; five hundred copies of the Journals of the House and Senate; five hundred copies of the Reports and Resolutions; five hundred copies of the Supreme Court Decisions, with the exclusive right to the State Printer to print and sell as many additional copies as he may deem fit, together with such other printing of every kind as may be ordered by the General Assembly, or either branch thereof, and also the printing required for the executive and other departments of State for and during the said term of two years.

Proposals,  
what to con-  
tain.

SEC. 2. The said proposals shall state at what price per page the party making the proposals will print the number of copies herein required of each of the said documents and papers, and also provide all the materials therefor, fold, stitch and trim the same; at what price per page the party will furnish each additional hundred copies of any such documents or papers that may be ordered; and at what price per volume the party will bind, in law calf, the Supreme Court Decisions and two hundred copies, each, of the Acts and Joint Resolutions, Journals and Reports and Resolutions.

Proposals to  
be accompa-  
nied by bond.

SEC. 3. Such sealed proposals shall, in every instance, be accompanied by a bond, in the sum of thirty-five thousand dollars, signed by the party or parties making the proposals, with two or more responsible persons as securities, conditioned, should the proposals be accepted, for the faithful performance of the work in accordance with the bid contained in the proposals; and no sealed proposals shall be considered unless accompanied with such bond and an agreement, in writing, to make no discrimination on account of race or color in the employment of printers.

Committee  
on Printing of  
House and  
Senate to re-  
ceive propo-  
sals, and award  
contract to  
lowest bidder.

SEC. 4. That the said proposals shall be addressed, one copy respectively, to the Chairman of the Committee on Printing of the House of Representatives and one copy to the Chairman of the Committee on Printing of the Senate; and within ten days after the meeting of the General Assembly, they shall open, in the presence of their respective Committees jointly, such proposals by them received and award the contract to the lowest responsible bidder for the same: *Provided*, That no contract be awarded to exceed the sum of fifty thousand dollars for the printing of any one year.

Proviso.

SEC. 5. That all Acts or parts of Acts, and all Joint Resolutions or parts of Joint Resolutions, inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.



AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE APPROPRIATION TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873," APPROVED MARCH 9, 1874. A. D. 1874.  
No. 622.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That subdivision six of Section three (3) of an Act entitled "An Act to make appropriation to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1873," approved March 9, 1874, be, and the same is hereby, amended so as to read as follows: "If the proceeds of the tax levied for the payment of the expenses of the General Assembly shall be insufficient to pay in full the appropriations herein made, the State Treasurer is directed, after paying the salaries and mileage of the members, to pay the salaries and per diem of the officers, engrossing clerks, Solicitors, and then the employees of the General Assembly, prior to any claim for contingent or incidental expenses whatsoever, and to divide the remainder between the House and Senate orders, and then, in case there is a deficiency in the appropriations made for legislative expenses and printing in said Act, the State Treasurer is hereby authorized and directed to issue certificates of indebtedness to the amount of said deficiencies for the payment thereof, to be redeemed out of the taxes collected for the fiscal year commencing November 1, 1874, as provided for in an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes," approved December 22, 1873.

Section 3 of Act to make appropriation for ordinary expenses of State government amended

State Treasurer to pay attachées of General Assembly after paying members.

In case of deficiency, certificates of indebtedness to be issued.

Approved March 17, 1874.

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AN ACT TO INCORPORATE THE AIKEN COUNTY MANUFACTURING COMPANY. No. 623.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Delevan Yates, Henry Hahn, John McRay, C. D. Hayne and S. J. Lee, and such other persons as may become associated with them, and their successors, are hereby made and declared a body politic and corporate in law, under the name and style of the Aiken County

Corporators.

Corporate name.



A. D. 1874. **Manufacturing Company**, for the purpose of spinning and manufacturing cotton and woolen fabrics, at such locality in Aiken County as said corporation may select, with a capital stock of one hundred and fifty thousand dollars, to be divided into one thousand five hundred shares of one hundred dollars each.

**SEC. 2.** That the incorporators herein named shall be permitted to open books of subscription to the capital stock of said company at such times and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same; and whenever the sum of ten per cent. shall have been paid in to said capital stock, the said incorporators, or any two of them, shall file in the office of the Secretary of the State their affidavit that such amount has been *bona fide* paid in, and thereupon the persons who have subscribed to the stock of said company shall have three weeks' public notice, by advertisement in one or more newspapers of this State, of the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

**SEC. 3.** That said company shall, at said meeting, be organized by the election of a President, Vice President and such number of Directors and other officers for such term as the stockholders present may decide upon then, or at any time thereafter, and that annually thereafter the President and Directors, so elected, shall call together the stockholders for the purpose of electing officers of the corporation, and for the purpose of transacting such business relating to the interests of the company as they may deem fit; and at such meeting any member of said corporation will be allowed one vote for every share owned, and to cast a vote by proxy.

**SEC. 4.** That said company, when organized as herein provided, may establish by-laws for the usage and government of the company not repugnant to the laws of this State; may purchase and hold such real estate as may be necessary for their purpose and may transfer the same; may sue and be sued, plead and be impleaded, in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of similar bodies corporate in this State. They shall also enjoy such special privileges and immunities as are now, or hereafter may be, conferred by law on similar manufacturing companies within this State.

**SEC. 5.** That whenever the said ten per cent. shall be paid into the capital stock of said company it shall be authorized to commence business as a manufacturing company under this charter. Each stockholder shall be liable to the amount equal to his stock

for the debts of said company according to the number of shares held in said corporation. A. D. 1874.

SEC. 6. This Act shall be taken and deemed a public Act, and to remain in force for a term of thirty years.

Approved March 17, 1874.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HORRY No. 624.  
COUNTY TO LEVY AND COLLECT AN ADDITIONAL TAX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, authorized and required to cause to be levied and collected a special tax of two (2) mills upon the dollar on all the taxable property of the said County, to be devoted exclusively to the payment of the past due indebtedness of the said County, and to be levied and collected annually in the same manner and at the same time that other taxes are levied and collected, for the two fiscal years immediately succeeding the passage of this Act. Two mill tax for past indebtedness.

SEC. 2. That all persons holding claims against said County be, and they are hereby, required to file a list of such claims in the office of the County Commissioners of said County on or before the first day of November 1874, the said claims so filed to be paid by the County Treasurer of said County out of the proceeds arising from the aforesaid tax, on the warrants of the County Commissioners of said County, said warrants to be paid in two equal annual installments. Claims to be registered; to be paid on warrants in two installments.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE GRAND LODGE OF THE INDE- No. 625.  
PENDENT ORDER OF GOOD TEMPLARS OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Kalstrom, Rev. H. M. Mood, Rev. J. M. Carlisle, Rev. J. S. Connor, F. A. Tradewell, George W. Irwin, and their associates and successors, be, and they are hereby, declared a body corporate and politic, by the name and title of the Grand Lodge of the Independent Order of Good Templars of South Carolina, and that they have Corporators.

Corporate name.

A. D. 1874.  
 Powers and  
 privileges.

power, by their corporate name and style, to sue and be sued, to plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements or real estate, of what kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided*, That the property so held shall not exceed the annual value of sixty thousand dollars. And the said corporation shall have power to make and have a common seal, with power to change the same at any time; and shall have power to make their own constitution and by-laws, not inconsistent with the laws of the land.

SEC. 2. That this Act shall be deemed a public Act and shall continue in force until repealed.

Approved March 17, 1874.

No. 626. AN ACT SUPPLEMENTARY TO CHAPTER XV, TITLE IV, PART I, OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE MILITIA, AND FOR THE BETTER ORGANIZATION AND GOVERNMENT OF THE SAME.

Adjutant and  
 Inspector Gen-  
 eral, election of

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be an Adjutant and Inspector General elected by the qualified electors of this State, on the first Tuesday following the first Monday in November, A. D. 1874, and the same day in every second year thereafter.

Vacancy in  
 said office, how  
 filled.

SEC. 2. That in the event of a vacancy occurring in the office of Adjutant and Inspector General, whether from death, resignation, disqualification or other cause, the Governor shall have full power to appoint some suitable person, who, on being duly qualified according to law, shall be entitled to enter upon and hold the office for the unexpired term of the former incumbent, and shall be subject to all the duties and liabilities incident to his office, and receive the same compensation as provided by law for the Adjutant and Inspector General during his term of service: *Provided*, That no such unexpired term for which an appointment is made shall exceed one year; and if it shall exceed one year, the Governor shall order a special election to fill such vacancy.

Duties and  
 liabilities.

Proviso.

Militia—  
 when subject to  
 active duty.

SEC. 3. That the militia enrolled under the provisions of Chapter XV, Title IV, Part I, of the General Statutes of South Carolina shall not be subject to active duty except in case of a war or for the purpose of preventing, repelling or suppressing invasion,



insurrection or riot, or of aiding civil officers in the execution of the laws, in which cases the Commander-in-Chief shall order out for actual service, by draft or otherwise, as many of the militia as necessity demands.

A. D. 1871.

SEC. 4. Any person who is ordered out as aforesaid, or volunteers, and fails to appear at the time and place designated for his reporting for duty, or who has not some able-bodied and proper substitute at such time and place, or does not pay to the County Treasurer, for the use of the State, the sum of fifty (50) dollars, within twenty-four hours from such time, shall be taken to be a soldier absent without leave, and shall be dealt with accordingly, unless a satisfactory excuse can be given.

Penalty for failure to report for duty.

SEC. 5. When the militia are ordered out or have volunteered for, and while they are in, actual service, as heretofore specified, they shall be organized by the Commander-in-Chief into companies, regiments, brigades and divisions, and proper officers appointed therefor. They shall be subject to the same rules and articles of war as troops of the United States, and during their term of service be entitled to the same pay, rations and allowances for clothing as are or may be established by law for the army of the United States.

Militia—how organized.

To what rules subject.

SEC. 6. The active militia shall be composed of volunteers, and shall constitute part of the enrolled militia, and shall be subject to all the laws of the State and the United States relative to the enrolled militia. They shall be known as the National Guard of the State of South Carolina. In case of war, or for repelling, preventing or suppressing invasion, insurrection, or for aiding civil officers in the execution of the law, they shall be ordered first into service.

Of what composed.

Name of.

When may be ordered into service.

SEC. 7. The Commander-in-Chief shall arrange the National Guard into divisions, brigades, regiments and battalions, and make such alterations thereof as may, from time to time, be necessary. Each of the said organizations shall be numbered, and each company lettered as is necessary to secure uniformity, a record thereof being made in the office of the Adjutant and Inspector General. Companies of cavalry and artillery inconveniently located for such organization may be attached to such brigades or divisions as the Commander-in-Chief shall order.

How to be arranged.

SEC. 8. Whenever a petition for raising a volunteer company has been signed by not less than eighty-three men, and the order accepting the company has been issued by the Commander-in-Chief, the members thereof shall then sign an enlistment roll, issued from the office of the Adjutant and Inspector General, and shall take and subscribe the following oath, to be administered by the muster-

Petition for organization.



A. D. 1874.  
 Oath to be  
 administered.

ing officer, who is hereby vested with the power and authority to do so: "I do solemnly swear (or affirm) that I will support and defend the United States and the State of South Carolina against all their enemies and opposers, and that I will do my utmost to support the Constitution and laws of the United States and of the State of South Carolina against all violence of whatever kind and description; and I further swear that I will execute and obey the orders of all officers placed over me. So help me God."

Companies—  
 of how many to  
 consist.

Companies  
 now in service  
 to be reorgan-  
 ized.

SEC. 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the service of the State shall at once reorganize under the provisions of this Act, by the members signing proper enlistment rolls and being mustered into the service of the State as a part of the National Guard; and for the purpose of such reorganization, sixty men shall be considered the minimum. Such companies not reorganizing as herein provided on or before the first day of January, A. D. 1875, shall be disbanded, and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all arms, accoutrements or other military property belonging to the State in the possession of such company; and any member thereof who shall refuse or neglect to deliver the same shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine not exceeding one hundred dollars nor less than ten dollars, or by imprisonment not exceeding thirty days. And the said property, wherever found, may be taken possession of by the commanding officer of such regiment, or by any officer or soldier acting under his orders: *Provided*, The General commanding the division to which company or companies may be attached shall have power to extend the time for the reorganization herein required upon the recommendation of the regimental commander.

Who may  
 extend time  
 thereof.

Muster rolls  
 to be in triplicate.

SEC. 10. Muster-in rolls shall be made in triplicate, one of which shall be retained at the headquarters of the regiment. The original shall be forwarded to the office of the Adjutant and Inspector General within ten days from any muster of men, and one roll shall be retained by the company commander.

Officers and  
 privates to be  
 held to service.

SEC. 11. All officers and privates of the National Guard shall be held to service in their several companies, battalions, regiments, brigades and divisions for three years, unless sooner discharged.

Who may  
 grant dis-  
 charges.

SEC. 12. No officer inferior in grade to regimental commanders shall have power to grant discharges to non-commissioned officers and privates. Discharges shall be given in writing, setting forth fully the cause of the discharge, and signed by the officer granting the same: *Provided*, That no member of any company shall be

discharged from service until he has obtained the certificate of the commanding officer of his company that he has turned over, or satisfactorily accounted for, all property issued and charged to him.

A. D. 1871.

SEC. 13. Any officer desiring to resign his commission and be discharged from the service shall express his desire in writing, and transmit the same to the Commander-in-Chief immediately, through and by all intermediate commanders, who will endorse thereon their recommendation in the case, and the resignation shall go into effect when accepted by the Commander-in-Chief, and not before; but no officer shall be permitted to resign his commission while under arrest, nor until he has accounted for and delivered to the proper officer all money, records, arms, accoutrements and other military property belonging to the State in his possession.

How dis-  
charges may be  
obtained.

SEC. 14. Each regularly organized company of the National Guard shall be furnished by the State with such arms and equipments as are required, upon the written requisition of the commanding officers of such companies respectively, approved by the regimental commander. And the arms and equipments so furnished, together with all other military property which may be furnished to any organization of the National Guard, shall remain and continue to be the property of the State, to be used for military purposes only, and to be returned whenever called for by proper authority; or if the same is willfully or negligently wasted or destroyed by an officer or company, the Commander-in-Chief may, upon satisfactory evidence to that effect, dishonorably discharge the officer and disband the company.

Organized  
companies,  
how to be fur-  
nished with  
equipments,  
&c.

Articles fur-  
nished to re-  
main property  
of State.

SEC. 15. Any officer who shall receive, according to the provisions of this Act, any arms, equipments or other military property from the State shall distribute the same to his command as he shall deem proper, taking vouchers therefor; and he shall require those to whom they are distributed to return them at such time and place as he shall order and direct; and every officer, non-commissioned officer and private of any company of the National Guard to whom any arms, equipments or other military property shall be so delivered shall be held personally responsible for its care, safe keeping and return. He shall use the same for military drills, parades and musters only; and upon receiving a discharge, or otherwise leaving the military service, or upon the demand of his commanding officer, he shall forthwith surrender and deliver up the said arms and equipments, together with all other military property that may be in his possession, to the said commanding officer, in as good order and condition as the same were at the time he received them, reasonable use and ordinary wear thereof excepted.

Duties of  
officers receiv-  
ing arms, &c.

A. D. 1874.

Penalty for  
retaining or in-  
juring military  
property.

SEC. 16. Any officer, non-commissioned officer or private who shall, contrary to the lawful order of the proper officer, retain in his possession or control any arms, equipments or other article of military property belonging to the State, or who shall willfully or maliciously destroy or injure any such property, or who shall, when not on duty, use or wear any such property without permission of his commanding officer, shall be tried by court martial and punished as hereinafter provided. And all other persons who shall, either willfully or maliciously, destroy or injure, or purchase, retain or have in custody or possession, without right, any such military property belonging to the State, and shall, after demand, refuse to deliver the same to any officer entitled to take possession thereof, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine double the amount of the value of such military property so injured, destroyed, purchased or retained, or by imprisonment in the County jail for two days for every dollar of such fine; and such fine shall be paid into the military fund of the regiment to which such property belonged. Any commanding officer may take possession of such military property wherever the same may be found.

Liability of  
officers for mil-  
itary property.

SEC. 17. Any officer receiving public property for military use shall be accountable for the articles so received by him, and shall not be discharged or allowed to resign from the service until he has returned to the Adjutant and Inspector General a receipt from his successor in command, or a proper accounting officer, for the articles issued to him in good order and condition, or shown to the Adjutant and Inspector General, by satisfactory proof, that any article not so accounted has been properly expended in the service, or injured, lost or destroyed without any default or neglect on his part; and, if lost or willfully injured or destroyed through the misconduct of any person, that reasonable efforts have been made by him to recover or prosecute for the same; and, in addition, he shall be liable to make good to the State all such property so injured, lost or destroyed by any neglect or default on his part, and for the recovery of which he has made no reasonable effort.

Company  
parades.

SEC. 18. Commanders of companies shall cause their companies to parade not less than once in each year; in addition to such parades, they shall order company drills at least once in each month. Regimental, brigade and division commanders may order out their respective commands, or any part of them, for parade, drill, review or inspection at such times and places as they may deem most convenient. The Commander-in-Chief may order reviews or encampments of such portions of the militia at such times and places as he shall deem proper.

Regimental,  
brigade and di-  
vision parades.



SEC. 19. No officer, non-commissioned officer or private shall fail in repairing at the time fixed to the place of parade, drill or other rendezvous appointed by his commanding officer, if not prevented by sickness or some other evident necessity, or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished, according to the nature of his offense, by the sentence of a court martial.

A. D. 1871.

Penalty for  
absence from  
parades, &c.

SEC. 20. The commanding officer at any parade or drill may cause those under his command to perform any field or camp duty he shall require; and, also, may put under guard, for the day or time of continuing such parade or drill, any officer, non-commissioned officer or private who shall disobey the order of his superior officer, or in any way or manner interrupt the exercises of the day. He may ascertain and fix the necessary bounds and limits to his parade ground, within which no spectator shall enter without leave from such commanding officer; and whoever intrudes within such limits, after being forbidden, or in any way or manner interrupts or molests the orderly discharge of duty of those under arms, may be confined under guard during the time of such parade or drill.

Duties of officers  
in regard  
to parades.

SEC. 21. For the purpose of notifying the non-commissioned officers and privates for any parade, drill or other rendezvous, the commandant of each company shall issue his orders, either by warrant or otherwise, to one or more of his non-commissioned officers or privates, requiring them, respectively, to warn all the officers, non-commissioned officers and privates of his company to appear at the time and place appointed, armed and equipped according to law and regulation. Each non-commissioned officer or private to whom such order shall be given shall give notice, either verbally or in writing, of such time and place to every person whom he is ordered to warn; or, in case of his inability to find such person, he shall leave a written notice at his usual place of abode or business with some person of suitable age and discretion, or shall send the same to him by mail.

Notice of  
parades, &c.,  
how made.

Warning to  
appear.

SEC. 22. Such non-commissioned officer or private shall make a return to the commandant of his company, in which he shall state the names of all persons by him warned and the manner of warning them, respectively, and shall make oath to the truth of such return; and such commandant shall deliver the return, together with his own return, of all delinquencies, whenever required, to the commanding officer of his regiment, who shall forward the same to the President of the proper court martial. The return of such non-commissioned officer or private, so sworn to, shall be

Return of  
person serving  
notice.



A. D. 1874.

as good evidence on the trial of any person returned as a delinquent of the facts therein stated as if such non-commissioned officer or private had testified to the same before the court martial on such trial; but nothing in the provisions of this Act shall be so construed as to preclude, in the absence of a proper return, the giving in evidence at any court martial, upon trial for delinquencies, neglect of duty, or offense whatsoever, matters of fact which go to substantiate the charge or offense.

Company commanders to make like returns.

SEC. 23. Every commandant of the company shall make the like return, and with like effect, of every delinquency and neglect of duty of his non-commissioned officers, either in not attending at any parade or drill, or not executing or returning a warrant to them directed or delivered, or not obeying the orders of their commanding officers, and also the names of every officer, non-commissioned officer or private who shall refuse or neglect to obey the orders of his superior officer, or to perform such military duty or exercise as may be required, or depart from his colors, post or guard, or leave the ranks without permission from his superior officer.

Commissioned officer may warn his command to parade

SEC. 24. Any commissioned officer of a company may, without warrant, warn any or all of the members of his command to appear at any parade, drill or rendezvous. Such warning may be given by him either personally or by leaving a notice or sending by mail, in the same manner as if given by a non-commissioned officer, and his certificate shall be received by any court martial as legal evidence of such warning.

Warning to appear at future days.

SEC. 25. When a company is paraded, or assembled for any other purpose, the commanding officer may verbally warn the men to appear on some future day, and not more than thirty days from such time, which shall be sufficient notice as respects the persons present; and a record of the names of the officers and privates then present, signed by such commanding officer, shall be sufficient evidence of such warning.

Officers, etc., how warned.

SEC. 26. The officers and non-commissioned staff officers of each regiment or battalion shall be warned to attend at any parade or drill in the same manner as is prescribed by law for the warning of the privates of any company; and the commanding officer of each regiment or battalion may designate and order any or all of the non-commissioned staff officers of the regiment or battalion to perform that duty, who shall make return thereof to the commanding officer or Adjutant of the regiment or battalion, in the same manner and under the same penalty for delinquencies as are by law imposed on non-commissioned officers or privates of companies for similar delinquencies.

SEC. 27. All commanding officers of regiments, battalions or companies may, on any parade or drill, read division, brigade or regimental orders, and notify the officers and soldiers of their several commands to appear as by such orders required, which notice shall be a sufficient warning to all persons present.

A. D. 1871.

Reading of orders.

SEC. 28. The commanding officer of any division, brigade, regiment or battalion may require the commissioned officers and non-commissioned officers of his command to meet for instruction, exercise and improvement at such times and places as he shall appoint; and he may require them to appear with such arms and accoutrements as he may prescribe; said officers shall thereupon be formed into a corps of instruction, without regard to rank, and shall be thoroughly instructed in the manual of arms, the school of the soldier and company, and in such other theoretical and practical details of duty as the said commanding officer shall deem proper.

Officers—meetings for instruction, exercise, &amp;c.

SEC. 29. Any person belonging to the military forces of this State, going to or returning from any parade, drill or meeting which he may be required by law to attend, shall, together with his conveyance and the military property of the State, be allowed to pass free through all toll gates and over all toll bridges and ferries.

Militia on parade exempt from toll.

SEC. 30. The Adjutant of each regiment shall, on or before the 15th day of January of each year, and oftener, if required, return to the commander of his regiment the names of all commissioned staff and line officers of such regiment absent from any parade, drill or rendezvous during the preceding year. Upon the receipt of such return, the commander of such regiment shall order a court martial to pass upon such delinquencies.

Duties of regimental adjutants.

SEC. 31. Any officer who neglects to perform the duties of his office, or to obey the rightful orders of his superiors, or who is guilty of conduct unbecoming an officer and a gentleman, or who violates any of the provisions of this Act, may be put under arrest by his superior officer and tried by a court martial.

Trial by courts martial.

SEC. 32. All courts martial for the trial of commissioned officers shall consist of not less than five nor more than thirteen officers, and in all cases a majority of the court shall be of not less rank than the accused. Regimental commanders shall have power to appoint regimental courts martial for the trial of all officers, except field officers, of their respective regiments. In all cases where the regimental commander is the accuser, and for the trial of all other officers within their respective commands, the commanders of brigades shall have power to order general courts martial. In all cases where the brigade commander is the accuser, or where the regimental or brigade commander neglects or refuses to order a court martial, then the court shall be ordered by the division commander.

Said courts—how constituted.

A. D. 1874. For the trial of a brigadier or major general, courts martial shall be ordered by the Commander-in-Chief.

Sentence of courts martial.

SEC. 33. Courts martial may sentence an officer convicted by them to be punished according to the nature and degree of the offense and according to military usage; but in time of peace such punishment shall not extend further than cashiering the officer convicted and disqualifying him from holding any office in the militia of this State and imposing a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days. Officers cashiered by sentence of a court martial shall be precluded thereby from again volunteering into the military service of the State, except the sentence be remitted by the Commander-in-Chief.

Courts of inquiry.

SEC. 34. Courts of inquiry, to consist of three officers and a Judge Advocate, may be instituted by the Commander-in-Chief, or by the commanding officer of a division, brigade or regiment, in relation to those officers for whose trial they are authorized to appoint courts martial, for the purpose of examining into any military transaction, or the conduct of any officer, either by his own solicitation or on a complaint or charge of improper conduct, or for the purpose of settling a military question, or for establishing good order and discipline. Such court of inquiry shall, without delay, report the evidence adduced, a statement of facts, and, when required, an opinion thereon, to the officer instituting such court, who may, in his discretion, thereupon appoint a court martial for the trial of the officer whose conduct shall have been inquired into.

Courts for trial of non-commissioned officers and privates.

SEC. 35. For the trial of non-commissioned officers and privates, regimental commanders may at any time appoint a court martial for their respective regiments, such courts to consist of at least three commissioned officers. The court, when organized, shall have the trial of all offenses, delinquencies and deficiencies that occur in the regiment for which it shall have been appointed.

Trials to be conducted according to usage of United States.

SEC. 36. No officer, non-commissioned officer or private shall be tried except on written charges and specifications. The arraignment of the accused, the proceedings, trial and record shall in all respects conform to the forms and requirements of the United States law and practice of courts martial, except as herein otherwise provided.

Proceedings and sentence, to whom transmitted.

SEC. 37. The proceedings and sentence of a court martial shall, without delay, be transmitted to the officer ordering the court, or to his successor in command, who shall, within fifteen days thereafter, approve, disapprove, commute or remit the sentence and issue his order thereon; and he shall also transmit such proceedings and sentence, with his action thereon, to the Adjutant and Inspector General, to be filed in his office.



SEC. 38. Every member of a court martial shall keep secret the proceedings and sentence of the court until the same shall be approved or disapproved, or otherwise acted upon according to law, and shall always keep secret the vote or opinion of any particular member of the court, unless required to give evidence thereof by a court of justice in due course of law.

A. D. 1874.

Proceedings  
of court to be  
kept secret.

SEC. 39. The President of every court martial or court of inquiry shall be the member of the court senior in rank, who, besides his duties and privileges as a member, shall be the organ of the court to keep order and conduct its business. In his absence the senior officer present shall preside, with all the powers of the President. All the members of such court shall, when on duty, be in full uniform; and the court may sit without regard to hours, and may adjourn from time to time, as may be necessary for the transaction of business.

Who may be  
President of  
such courts.

Members of  
court to be in  
uniform.

SEC. 40. Courts martial and courts of inquiry are authorized and empowered to preserve order during their sessions, and any person or persons who shall be guilty of disorderly, contemptuous or insolent behavior in, or use any insulting or contemptuous or indecorous language or expressions to or before any such court, or any member of either of such courts, in open court, intending to interrupt the proceedings or to impair the respect or authority of such courts, may be committed to the jail of the County in which said courts shall sit for a time not exceeding twelve hours, by warrant, under the hand and seal of the President of such court.

General pow-  
ers of courts  
martial.

SEC. 41. Courts martial and courts of inquiry shall issue subpoenas for all witnesses whose attendance at such courts may, in their opinion, be necessary in behalf of the State, and also, on application, for all witnesses in behalf of any officer charged or accused or persons returned as delinquents; and may direct the commandant of any company to cause such subpoena to be served on any witness or member of his company. Such courts shall also have power to administer the usual oath to witnesses, and to compel witnesses to appear and testify, by attachment, fine and imprisonment, as Courts of common law. And all Sheriffs, jailers and Constables are hereby required to execute any process issued by such courts for any of the aforesaid purposes.

Judicial  
powers of such  
courts.

SEC. 42. The President of any court martial or court of inquiry may appoint, by warrant, under his official signature, one or more Marshals, who shall, when required, execute any process lawfully issued by such President or court, and perform all acts and duties by this Act imposed on and authorized to be performed by any Sheriff or Constable. The Marshals so appointed shall, before entering upon their duties of collecting fines and penalties, execute a

Marshals—  
powers and  
duties.



A. D. 1874.

Fines and  
penalties.

bond, with sufficient sureties, to be approved by the President of the court appointing them, for the faithful performance of their duties.

SEC. 43. Every officer, non-commissioned officer or private shall, on due conviction by any court martial, be subject, for the following offenses, to the fines and penalties thereto annexed :

1. In time of peace, every commissioned officer, for disobedience of orders, neglect or ignorance of duty, conduct unbecoming an officer and a gentleman or prejudicial to good order and military discipline, neglecting to comply with or violating any of the provisions of this Act, shall be cashiered, disqualified from holding any military commission, fined to an amount not exceeding one hundred dollars, imprisoned not exceeding thirty days, or reprimanded, or be sentenced to all or either of such fines and penalties within the discretion of the court.

2. Every commissioned officer, for non-attendance at any parade, drill or place of rendezvous, a fine of not less than five nor more than fifty dollars.

3. Every non-commissioned officer and private for non-appearance, when duly warned at any company parade, inspection, muster or drill, a fine of one dollar ; for non-appearance at a regimental or battalion parade, inspection or drill, a fine of two dollars ; for disobedience of orders or disrespectful or insubordinate conduct, a fine not exceeding fifty dollars.

4. Every officer, non-commissioned officer or private for neglecting or refusing to obey the orders of his superior officers on any day of parade, drill or inspection, or to perform such military duty or exercise as may be required, or departing from his colors, post or guard, or leaving his place or ranks without permission, a fine of not more than one hundred nor less than five dollars.

5. Every officer, non-commissioned officer or private for neglecting or refusing to obey any order or warrant to him lawfully given or directed, or to make a proper return thereof, or neglecting or refusing, when required, to summon a delinquent before a court martial, a fine not more than fifty nor less than five dollars.

6. Any officer, non-commissioned officer or private who shall neglect or refuse to surrender or deliver up, upon demand of his commanding officer, in accordance with Section 13 of this Act, any arms, equipment or other military property of the State that may be in his possession shall be fined not more than one hundred nor less than ten dollars ; and any officer may take possession of such military property wherever the same may be found.

7. Every non-commissioned officer or private appearing at any parade, drill, inspection or review deficient in all or any of the arms, equipments or uniform furnished by the State, or unser-

viceable or in bad condition, if from his own neglect, a fine of five dollars. A. D. 1874.

In addition to, or in lieu of, the fines herein specified, the offender shall be liable, in the discretion of the court, to be dishonorably discharged from the command to which he belongs.

SEC. 44. For the purpose of collecting any fines or penalties imposed by any court martial authorized by this Act, the President of the court shall, within thirty days after the fines or penalties have been imposed and approved, issue an execution or warrant, under his official signature, directed to any Marshal of the court, or to all and singular the Sheriffs and Constables of the State, thereby commanding them to levy such fines and penalties, together with the costs, on the goods and chattels of such delinquent, and in default of sufficient goods and chattels to satisfy the same, then to take the body of such delinquent and convey him to the common jail of the County, where he shall be kept in confinement by the Sheriff or jailer for two days for any fine or penalty not exceeding five dollars, and one additional day for every dollar above that sum, unless the fine or penalty be sooner paid; but no such imprisonment shall extend beyond the period of thirty days: *Provided, however,* That the prisoner may be liberated at any time by order of the officer ordering the court martial by which he was convicted. Fines, &c.—  
how collectible

SEC. 45. Every Marshal, Sheriff or Constable to whom any such warrant or execution shall be directed and delivered is hereby authorized and required to execute the same, by levying and collecting the fines and penalties, and make return thereof to the officer who issued the same within sixty days from the receipt of such execution or warrant, paying over the amount collected to the proper officer, in accordance with the provisions of this Act. Any Marshal, Sheriff or Constable failing or refusing to execute such execution or warrant as herein required, or to make return thereof and pay over fines so collected, shall be subject to rule and attachment from the Court of Common Pleas of the County wherein he resides, upon motion of any attorney, President of a court martial, the officer ordering the same, or any other officer whose duty it is to see that such process be duly executed.

SEC. 46. All fines and penalties so collected from any officer, non-commissioned officer or private of a regiment shall be paid by the officer collecting the same to the paymaster of the regiment to which the person so fined belonged, and shall constitute a portion of the military fund of such regiment, which shall be disbursed by order of the commanding officer of such regiment. All fines and penalties so collected from any other commissioned officer shall be paid Disposition  
of fines, &c.,  
collected.

A. D. 1874. by the officer collecting the same to the Treasurer of the State, to be expended for the use of the militia of the State.

Paymaster—  
powers and  
duties.

SEC. 47. For each regiment there shall be appointed a paymaster, with the rank of Captain, who shall receive all fines and penalties collected and payable to such regiment. He shall give a bond in the sum of one thousand dollars for the faithful discharge of his duties, to be approved by the commanding officer of the regiment for which he is appointed. Each paymaster shall be compelled to account, at least once in twelve months, and oftener if required, to the commanding officer of the regiment of which he is paymaster, which accounts shall be subject to the inspection of the Brigadier General, Major General and Commander-in-Chief, respectively. A copy of said accounts shall be forwarded to the Adjutant and Inspector General, to be filed in his office.

Pay of  
Marshals.

SEC. 48. Out of the fines and penalties imposed by any court martial and collected, there shall be paid, upon the certificate of the President of such court, approved by the officer ordering the same, to every Marshal appointed by any such court, one dollar for every day actually employed in the execution of the duties required of him.

Pay of  
Sheriffs and  
Constables.

SEC. 49. For executing any process or performing any service required by the provisions of this Act, Sheriffs and Constables shall be entitled to the same fees as they are allowed by law for similar services in civil or criminal cases. Marshals appointed by the President of any court martial, to whom an execution or warrant for the collection of fines and penalties may be directed or delivered, shall be entitled to the like fees as Sheriffs for similar services.

No action to  
be maintained  
against officers  
of courts mar-  
tial.

SEC. 50. No action shall be maintained against any member of a court martial, or officer or agent acting under its authority, on account of the imposition of a fine or penalty, or for the execution of a sentence on any person, if such person shall have been returned as a delinquent and duly summoned before such court, or shall have appeared before such court to answer the charges made against him; and when a suit or proceeding shall be commenced in any Court by any person against any officer of this State, for any act done by such officer in his official capacity in the discharge of any duty under this Act, or against any person acting under authority or order of any such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the plaintiff in such suit or proceeding to file security for the payment of the costs that may be incurred by the defendant in such suit or proceeding, and the defendant in all cases may plead the general issue and give the special matter in evidence.



SEC. 51. All commanding officers of companies, regiments, brigades or divisions shall have power to place in arrest any officer, and order in confinement any non-commissioned officer or private who may be under their command, and persons in arrest or confinement will not bear arms during the continuance of such arrest or confinement.

A. D. 1871.

Powers of  
officers to ar-  
rest and com-  
mit offenders.

SEC. 52. No commissioned officer, except staff officers, shall be removed from office or dismissed from the service unless by the sentence of a legally-constituted court martial, rendered after a fair trial, and approved in the manner prescribed by the provisions of this Act, except in the following cases, when they may be dismissed by the Commander-in-Chief: Upon conviction of an infamous crime; removal out of the bounds of his command to so great a distance that in the opinion of his commanding officer it is inconvenient to exercise his command.

Officers—how  
removed and  
dismissed.

SEC. 53. No officer, non-commissioned officer or private shall be arrested except for treason, felony or breach of the peace while going to, returning from or attending upon any military duty, court martial or court of inquiry which it is his duty to attend.

Exemption  
from arrest, &c.

SEC. 54. No citizen of the State above the age of forty-five years shall, on account of such age, be ineligible to office in the militia, nor incapable of serving in a volunteer company, and no citizen of the State, otherwise qualified, shall be ineligible to office in the militia from not having been enrolled therein.

Eligibility to  
office in the  
militia.

SEC. 55. Any company of the National Guard may, by a vote of two-thirds of its members, form by-laws, rules and regulations, not inconsistent with this Act, for the government and improvement of its members in military science and discipline; and such by-laws, rules and regulations shall be binding, but they may be altered from time to time, as may be found necessary, by the same vote. For the violation of such by-laws, rules and regulations the non-commissioned officer or private offending may be expelled from the company by a two-thirds vote, a majority of all its members being present; and upon such action of the company being confirmed in orders by the commander of the regiment or battalion, and, in case of a separate troop or battery, by the commander of the brigade or division to which such separate troop or battery is attached, the name of such person shall be stricken from the roll of such company and he shall cease to be a member. Any fine for offenses against such by-laws, rules and regulations of any company, not exceeding the sum of fifteen dollars, a certified copy of the proceedings relating to the infliction of which has been returned to any regimental court martial, may be enforced by such court, due notice being given to the delinquent; and such fines, when collected,

General pow-  
ers.



A. D. 1874. shall be paid over to the company of which the offender or delinquent is a member.

Renewal of  
warrants for  
fines.

SEC. 56. If any officer, having a warrant for the collection of any fine or penalty, shall not be able to collect the fine or penalty within the time specified therein, then the officer issuing the warrant may at any time thereafter, within two years from the time of imposing the fines, issue a new warrant against any delinquent, or renew the former warrant, from time to time, as may become necessary.

Power to ad-  
minister oaths.

SEC. 57. Any commissioned officer shall have authority to administer oaths to military persons, when such may be necessary, under any of the provisions of this Act, and the same penalties shall attach to false swearing in such cases as are now provided by law in case of perjury.

Militia sub-  
ject to rules  
governing  
army of U. S.

SEC. 58. The rules and articles of war and general regulations for the government of the army of the United States, so far as they are applicable and are not inconsistent with any of the provisions of this Act, shall apply to the government of the active militia of this State, in such cases as may not be provided for by this Act; but no punishment under such rules and articles which shall extend to the taking of life shall in any case be inflicted, except in time of actual war, invasion or insurrection, declared by proclamation of the Governor to exist, and then only on the approval, by the Commander-in-Chief, of the sentence inflicting such punishment.

Enlistments.

SEC. 59. When a company is reduced below fifty privates, the commanding officer of the regiment to which such company is attached shall forthwith issue his orders to the commanding officer of the company to fill the ranks by enlistments to the number of fifty privates, and if, within thirty days after the receipt of such order, the ranks are not filled, the commander of the regiment shall give notice thereof to the Adjutant and Inspector General, and the Commander-in-Chief shall issue his order for disbanding the company, and directing the commander of the regiment to raise a company in its place.

Certain  
words defined.

SEC. 60. In this Act the word "soldier" shall include all persons in the volunteer or enrolled militia, except commissioned officers: the word "company" may include battery and troop, and the word "regiment" may include battalion.

Board to  
prepare forms  
for use of mil-  
itia.

SEC. 61. In order to carry into full effect the provisions of this Act, the Governor is hereby authorized to appoint, immediately upon the passage of this Act, a Board of three commissioned officers, who shall prepare all the necessary forms for the use of the militia of this State; and it is hereby made the duty of the Adjutant and Inspector General to have such forms, when so prepared, printed and distributed to the commissioned officers of the State. He shall

also have this Act, together with such forms and so much of the rules and articles of war for the government of the United States army as the said Board of officers may decide are applicable, published in pamphlet form, and two copies thereof sent to each commissioned officer, which books shall be held by them as property of the State, and delivered to their successors in office.

A. D. 1874.

Adjutant  
General to  
have forms,  
&c., printed.

SEC. 62. That so much of Chapter XV, Title IV, Part I, Sections 2 and 11, as require an enrollment of the militia every two years, and the division of the same into two classes, and all Acts or parts of Acts inconsistent with this Act, be, and the same are hereby, repealed.

Approved March 17, 1874.

# AN ACT TO INCORPORATE THE SOCIETIES THEREIN NAMED. No. 627.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. A. Fields, Lemuel W. Gadsden, G. W. Brown, Clayton G. Galison, Edward H. Davis, Thomas H. Levy, Peter Wells, Daniel Carter, Bertram Richardson, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Rainey Hook and Ladder Company of Florence, South Carolina.

Rainey Hook  
and Ladder  
Company in-  
corporated.

SEC. 2. That T. W. Tilton, C. E. R. Drayton, John Stoubers, W. W. Hunting, G. W. Craft, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Aiken Hook and Ladder Company of Aiken, South Carolina.

Aiken Hook  
and Ladder  
Company.

SEC. 3. That the Tilton Hook and Ladder Company, No. 1, and the several persons who are now or may hereafter be officers and members, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Tilton Hook and Ladder Company, No. 1, of Aiken, South Carolina.

Tilton Hook  
and Ladder  
Company.

SEC. 4. That P. Bacot, W. W. Dwight, W. H. Williams, J. A. Frazier, J. Brice, John J. Neil, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Fairfield Engine Company of Winnsboro.

Fairfield  
Fire Engine  
Company.

SEC. 5. That John Cantey, H. Clark, John B. Moore, B. C. Richardson, Johnson Hagood, Edward Cantey, C. J. Dunlap, and all other persons who are now or may hereafter become members or stockholders of the association known as the Camden Jockey Club,

Camden  
Jockey Club.

A. D. 1874.

be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Camden Jockey Club of Camden, South Carolina.

Aiken Jockey Club.

SEC. 6. That Thomas G. Bacon, Johnson Hagood, Garris Ashley, Henry Sparnick, W. A. Williams, John McRay, Luther W. Williams, T. C. Morgan and E. J. C. Wood, and such other persons as may from time to time be associated with them, are hereby declared to be a body politic and corporate, under the name and style of the Aiken Jockey Club of Aiken, South Carolina.

Citizens' Cemetery.

SEC. 7. That A. B. Mitchell, William T. Elfe, R. W. Turner, Thomas Aiken, Daniel Brown, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Citizens' Cemetery of Charleston, South Carolina.

Brotherly Union Republican Society.

SEC. 8. That E. D. Washington, S. F. Williams, R. D. Manley, N. D. Washington, B. G. Washington, B. W. Howard and T. Williams be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Brotherly Union Republican Society of Beaufort County, South Carolina.

Sons and Daughters' Cane Manuel Society.

SEC. 9. That Wm. Cloud, York Smalls, Frank Thomas, Louisa Millhouse, Margaret Thomas, Rosaner Nelson, Lisbun Bonneau and Carry Mack be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Sons and Daughters' Cane Manuel Society of Charleston County.

South Carolina Jockey Club.

SEC. 10. That the South Carolina Jockey Club be, and is hereby, rechartered, with the powers, rights and privileges heretofore granted by law.

Powers and privileges.

SEC. 11. That the said corporations shall have succession of officers and members according to their by-laws, and shall have power to make by-laws not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State; and to have and enjoy every right incident to incorporations.

Proviso.

SEC. 12. That they are also empowered to retain, possess and enjoy all such property as they may now respectively be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock so invested shall in no case exceed twenty thousand dollars.

Pacolet Baptist Church incorporated.

SEC. 13. That from and immediately after the passage of this Act, John R. Crocker, A. F. Kindrick, Robert Little, and all other persons who now are or who hereafter shall or may become members of said church, shall, and they are hereby declared to be,



a body corporate, by the name and style of Pacolet Baptist Church, and by their said name shall have succession of officers and members, and have a common seal.

A. D. 1874.

SEC. 14. That the said corporation shall have power to purchase, receive, hold and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell and convey the same, and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to law, as may be deemed necessary and expedient.

Powers and privileges.

SEC. 15. That this Act shall be deemed a public Act, and continue in force for the term of twenty years, and until the next ensuing session of the Legislature.

Approved March 17, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RECHARTER THE FERRY OVER THE COMBAHEE RIVER, SOUTH CAROLINA, KNOWN AS THE COMBAHEE FERRY." No. 628.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to recharter the ferry over the Combahee River, South Carolina, known as the Combahee Ferry," approved February 27, 1872, be, and the same is hereby, amended by striking out the name of "Arthur Middleton," wherever the same may occur, and inserting in lieu thereof the name of "Henry A. Middleton."

"Arthur Middleton" struck out and "Henry A. Middleton" inserted.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE ATTUCK LIGHT INFANTRY, OF CHARLESTON, SOUTH CAROLINA, AND CERTAIN OTHER COMPANIES THEREIN NAMED, AND TO RENEW THE CHARTER OF THE CHARLESTON GAS LIGHT COMPANY. No. 629.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. M. Gadstone, W. J. Brodie, A. B. Mitchell, W. F. Kearson and R. W. Robinson, and their successors and associates, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Attuck Light Infantry, of Charleston, South Carolina; and that Henry Stokes, Isaac Simmons, Limus Smalis, Daniel

Corporators.

Corporate name.



A. D. 1874. Holmes, Stepheucy Wright, David Waring, George Washington and Detrow Jenkins, under the name and style of the Mount Pleasant Rifle Guards, of Charleston County; and that Charles S. Miller, Isaac Sawyer, Edward Labitut, George Becket, Richard Becket, S. Simons, A. Simons and Richard Edwards, under the name and style of the Mishaw Zouaves Rifle Company, of Charleston, S. C.; and that William R. Ryan, Edward P. Wall, Jr., and T. Garbon, under the name and style of the Palmetto Light Infantry, of Charleston, S. C.; and that C. S. Green, G. Brown and M. Days, under the name and style of the Pee Dee Guards, of Georgetown County; and that Thomas Aiken and others, under the name and style of the Artson Rifles, of Charleston; and that Joseph Buist and Thomas White, under the name and style of the Santee Guards, of Georgetown County; and that July Embly, John Dix and P. E. Jones, under the name and style of the Cain Rifle Guards, of Lewisville, Orangeburg County, S. C.; and that Frank Myers, Peter Pressley, Prince McKutchen and Toney Scott, under the name and style of the Black Mingo Rifle Guards, of Williamsburg County, and their successors and associates, be, and they are, respectively, incorporated and made and declared a body politic and corporate, in deed and in law.

SEC. 2. That each of the said corporations shall have the power to use and keep a common seal, and the same to alter at will; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

SEC. 3. That the Charleston Gas Light Company have an extension of its charter, and the same is hereby incorporated for the term of thirty (30) years from the expiration of its present charter.

Approved March 17, 1874.

No. 630. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO VEST IN THE CHARLESTON LAND COMPANY THE CHARTER OF A FERRY FROM HAMLIN'S WHARF, IN THE CITY OF CHARLESTON, TO THE FOLLOWING POINTS ON THE WANDO RIVER, TO WIT: SCANLONVILLE, REMLEY'S POINT, VENNING'S LANDING AND DANIEL'S ISLAND LANDING.'"

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an

Act entitled "An Act to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the city of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing and Daniel's Island Landing," be amended as follows: On line four, (4,) Section one, (1,) strike out "Hamlin's Wharf, in;" and on line six, (6,) after the word "landing," insert "Cainhoysville." In Section two, (2,) on line five, (5,) strike out "two" (2) and insert "four" (4).

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"Hamlin's Wharf" struck out and "Cainhoysville" inserted.

Approved March 17, 1874.

AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING No. 631.  
FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE  
ACT AND TO AMEND THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all real and personal property in this State, and personal property of residents of this State which may be kept or used temporarily out of the State, with the intention of bringing the same into the State, or which has been sent out of the State for sale and not yet sold; all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, of parties resident in this State, shall be subject to taxation.

Property taxable.

SEC. 2. Every person shall be liable to pay taxes and assessments on the real estate of which he or she may stand seized for life, by courtesy, in dower, as husband in right of his wife, or may have the care of, as guardian, executor or trustee.

Persons liable to pay taxes.

SEC. 3. All executors, administrators, guardians, trustees, receivers, officers, husbands, fathers, mothers, agents or factors shall be personally liable for the taxes on all personal property which they are required, respectively, to list for taxation by the provisions of this Act, and which was in their possession at the time when the return thereof for taxation shall have been made by themselves or the County Auditors, and may retain in their hands a sufficient amount of the property or proceeds thereof to pay such taxes for the entire year; and the County Treasurer may collect such taxes by any and all the means provided by this Act, either of the principal or beneficiary, or of the person so acting as executor, administrator, guardian, trustee, husband, father, mother, agent or factor, receiver or officer.

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"Real property" defined.

"Personal property."

"Moneys."

"Credits."

"Investments in bonds."

"Investments in stocks."

SEC. 4. The phrase "real property," as used in this Act, shall be held to mean and include not only land, city, town and village lots, but all things therein contained, and all structures and other things so annexed or attached thereto as to pass to the vendee by the conveyance of the land or lot. The phrase "personal property," as used in this Act, shall be held to mean and include all things, other than real estate, which have any pecuniary value, and moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise. The term "moneys" or "money," as used in this Act, shall be held to mean and include gold, silver and other coin, bank bills and other bills or notes, authorized to be circulated as money, whether in possession or on deposit subject to the draft of the depositor or person having the beneficial interest therein on demand. The term "credits," as used in this Act, shall be held to mean the remainder due, or to become due, to a party after deducting from the amount of all legal debts, claims and demands in his favor the amount of all legal debts and demands against him, whether such demands be payable in money, labor or other valuable things. But, in ascertaining such remainder, no deduction shall be made of any obligation to any mutual insurance company, given for insurance, nor of any subscription to the capital stock of any joint stock company, nor of any taxes assessed against the party, nor of any subscription to any religious, scientific, literary or charitable purpose, nor of any acknowledgment of a liability not founded on a legal and valuable consideration, nor any more of any joint liability with others than the party honestly believes he will be compelled to pay, nor any contingent liability, nor of any acknowledgment of debt or liability made for the purpose of diminishing the amount of credit to be returned for taxation. The phrase "investments in bonds," as used in this Act, shall be held to mean all investments of money or means in bonds of whatsoever kind, whether issued by the government of the United States, or of this or any other State or Territory of the United States, or any foreign government, or any County, city, town or other municipality, or by any corporation or company of this or any other State or country. The phrase "investments in stocks," as used in this Act, shall be held to mean and include all investments of money or means in the evidences of indebtedness, other than bonds or bills designed to circulate as money, issued by any government or municipality, and shares of the capital of any corporation, company or association, and every interest in any such shares or portion thereof; also, all interests or shares in ships, boats or other vessels used, or designed to be used, exclusively or partially, in navigating the waters within or bordering on this State, whether such ship, boat or vessel be within the jurisdiction of this State or



not, and whether such vessel be registered or licensed at any Collector's office in this State or not. The word "oath," as used in this Act, shall be held to mean and include an affirmation duly made. The words "person" and "party," and other word or words importing the singular number, as used in this Act, shall be held to include firms, companies, associations and corporations; and all words in the plural number shall apply to single individuals, in all cases in which the spirit and intent of this Act requires it. All words in this Act importing the masculine gender shall apply to females also; and all the words in this Act importing the present tense shall apply to the future also.

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"Oath."

"Person and party."

SEC. 5. There shall be assessed on all taxable polls in this State an annual tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed, or from any other cause, shall be deemed taxable polls.

Poll tax.

SEC. 6. The following property shall be exempt from taxation, to wit:

Property exempt from taxation.

1st. All public schools, and the grounds actually occupied by them, not exceeding, in any case, three acres.

Public schools.

2d. All houses used exclusively for public worship, the books and furniture therein, and the ground actually occupied by them, not exceeding, in any case, two acres.

Churches.

3d. All incorporated public colleges, academies and institutions of learning, with the funds provided for their support, and the grounds and the buildings actually occupied by them and not used with a view to pecuniary profit; but this provision shall not extend to leasehold estates held by others under the authority of any college or other institution of learning.

Institutions of learning.

4th. All real and personal property, the rents, issues, incomes and profits of which have been or shall be given to any city, town, village, school district or sub-district in this State exclusively for the endowment or support of public schools therein, so long as such property, or the rents, issues, incomes or profits thereof, shall be used or applied exclusively for the support of free education in said schools, by such city, town, village, district or sub-district.

Endowments.

5th. All grave-yards or cemeteries, except such as are held with a view to profit or speculation in the sale thereof.

Cemeteries.

6th. All property owned exclusively by the United States or this State.

U. S. and State property.

7th. All buildings owned by Counties and used exclusively as court houses, jails or public offices, with the grounds on which

Court buildings.



- A. D. 1874. such buildings are or may be erected, not exceeding ten acres in any County.
- Poor houses, &c. 8th. All lands, houses, fixtures and property owned by any County or city, and used exclusively for the support of the poor.
- Charitable institutions. 9th. All property belonging to institutions of purely public charity, and used exclusively for the maintenance and support of such institutions.
- Fire engines and property appertaining thereto. 10th. All fire engines and other implements used in the extinguishment of fires, with the buildings and grounds used exclusively for the keeping and preservation thereof, when owned by any city, town or village, or any fire company organized therein.
- Public grounds. 11th. All public squares or grounds and market houses owned by any city, village or town, and used exclusively for public purposes.
- Public halls. 12th. All city, town and village halls owned and used exclusively for public purposes by any city, town or village.
- Waterworks. 13th. All water works to supply water for the use of a town or city, the machinery and fixtures connected therewith, and the grounds occupied thereby, when owned by any city or town.
- State bonds. 14th. All bonds of this State which, by the terms of the Act under which they are or may be issued, are or may be exempted from taxation.
- U. S. bonds. 15th. All bonds and stocks of the United States which are not authorized by the laws of the United States to be taxed under State authority.
- Rents. 16th. All rents accruing from real estate which shall not become due within two months after the first day of July of the year in which taxes are to be assessed thereon.
- Annuities. 17th. All of any annuity not payable on or before August first of the year for which taxes are to be assessed thereon.
- Pensions. 18th. All pensions payable to any person by the United States, or any State of the United States.
- Shares. 19th. All shares of the capital stock of any company or corporation which is required to list its capital and property for taxation in this State.
- Wearing apparel. 20th. All the wearing apparel of the person required to make return and his family.
- Subsistence. 21st. Articles actually provided for the present subsistence of the person or his family, to the value of one hundred dollars.
- Personal property listed. SEC. 7. Every person, of full age and of sound mind, except married women, shall annually list for taxation the following personal property, to wit:
- 1st. All the tangible personal property in the State owned or in the State. controlled by him.

2d. All the tangible personal property owned by him or other resident of South Carolina, and under his control, which may be temporarily out of the State, but is intended to be brought into the State. A. D. 1871.  
Out of the State.

3d. All tangible personal property owned or controlled by him which may have been sent out of the State for sale, and not yet sold; and, Sent out of the State for sale.

4th. All the moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise owned or controlled by him, whether in or out of this State. The property of every ward shall be listed by his guardian; of every minor child, having no other guardian, by the father, if living; if the father be dead, by the mother, if living; if the mother be dead or married, by the person having it in charge; of the wife, by the husband, if living and sane, and the parties are residing together; if the husband be dead, or is insane, or is not living with his wife, by the wife; of every person for whose benefit property is held in trust, by the trustee; of every deceased person, by the executor or administrator; of those whose property or assets are in the hands of receivers, by such receivers; of every firm, company, body politic or corporate, by the President or principal accounting officer, partner or agent thereof; of all persons in the hands or custody of any public officer or appointee of a Court, by such officer or appointee; of those absent or unknown, by their agent or the person having it in charge; of lessees of real property, by such lessees. Moneys, credits, &c.  
Who shall list.

SEC. 8. All persons required by law to list property for others shall list it separately from their own, and in the name of the owner thereof; but shall be personally responsible for the taxes thereon for the year in which they list it, and may retain so much thereof, or the proceeds of the sale thereof, in their own hands as will be sufficient to pay such taxes: *Provided*, That all lands shall be listed and assessed as the property of the person or persons having the legal title to, and the right of possession of, the land at the time of listing and assessment, and in case of persons having possession of lands for life, in the name of the life tenant; *Provided, further*, That in the case of estates administered, the property shall be listed and assessed as the property of "the estate of" the person deceased; that in case of trusts, the property shall be listed and assessed as the property of the trustee, styled as trustee, committee or guardian, as the case may be; and that in cases of bankruptcy, the property shall be listed and assessed as the property of the bankrupt. And any one who shall knowingly return land in the name of one not having the legal title to, and right of possession of, the land at the time of listing and assess- Property to be listed separately.  
Proviso.

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ment as provided in this Section, shall be liable in an action of damages in an amount at least equal to the tax assessed, at the suit of the one entitled to the possession of said land, and shall likewise be liable to a fine of not exceeding five hundred dollars, or an imprisonment not exceeding six months, on indictment in the Court of General Sessions.

Property,  
when to be re-  
turned and  
taxed.

SEC. 9. All horses, neat cattle, mules, asses, sheep, hogs, dogs, wagons, carts and other vehicles used in any business; furniture and supplies used in hotels, restaurants and other houses of public resort; all personal property used in or in connection with store-houses, manufactories, warehouses or other places of business; all personal property on farms; all merchants' and manufacturers' stock and capital, shall be returned for taxation, and taxed in the city, village and town in which it is situated; all bankers' capital and personal assets, pertaining to their banking business, in the city, town and village in which the banking house is located; all shares of stock in incorporated banks located in this State, in the city, town and village where the bank is located; all property of deceased persons shall be returned for taxation at the residence of the executor or administrator, if in the County where administration may be legally granted; but if the executor or administrator reside out of such County, at the County seat of such County, until distribution thereof and payment be made to the parties entitled thereto; and all other personal property shall be returned for taxation and taxed at the place where the owner thereof shall reside at the time of listing the same, if the owner reside in this State; if not, at the residence of the person having it in charge; and all real estate shall be taxed in the County, city, ward and town where it is located.

Returns of  
personal prop-  
erty.

Returns,  
what to set  
forth.

SEC. 10. Every person required by law to list property shall, annually, between the first day of July and the twentieth day of August, make out and deliver to the Auditor of the County in which the property is, by law, to be returned for taxation a statement, verified by his oath, of all the real estate which has been sold or transferred since the last listment of property for which he was responsible, and to whom, and of all the personal property possessed by him or under his control on the first day of July of that year, either as owner, agent, parent, husband, guardian, executor, administrator, trustee, receiver, officer, partner, factor or holder, with the value thereof on said first day of July, at the place of return, estimating according to the rules prescribed by law, which statement shall set forth:

1st. The number of horses, and their value.

2d. The number of neat cattle, and their value.



3d. The number of mules and asses, and their value.

4th. The number of sheep, and their value.

5th. The number of hogs, and their value.

6th. The value of gold and silver plate, and number of gold and silver watches, and their value.

7th. The number of pianofortes, melodeons and cabinet organs, and their value.

8th. The number of pleasure carriages, and their value.

9th. The number and value of dogs.

10th. The value of goods, merchandise, moneys and credits pertaining to his business as a merchant.

11th. The value of materials received, used, or provided to be used, in his business as a manufacturer.

12th. The value of all machinery, engines, tools, fixtures and implements used, or provided to be used, in his business as a manufacturer, and of all manufactured articles on hand one year or more.

13th. The value of moneys, including bank bills and circulating notes.

14th. The value of all credits.

15th. The value of investments in the stocks of any company or corporation out of this State, except national banks.

16th. The value of all investments in bonds, except bonds of the United States and this State expressly exempted from taxation.

17th. The value of all other property.

SEC. 11. Any person who shall, at any place in this State, be engaged in the business of buying and selling personal property, or in selling personal property consigned to him from any place out of the State, or property not the product of this State, consigned to him from any place within this State, shall be held to be a merchant, and, at the same time he is required to list his other personal property, shall deliver to the Auditor of the County in which his place of business is situated a statement, under his oath, of the average monthly value of the personal property, moneys and credits pertaining to his mercantile business; to ascertain which, he shall set down the value on hand on the first day of July of the preceding year, or other time of commencing business during the year, add thereto all purchases, when made, at cost, ascertain the average value on hand for the month, deduct the average amount of sales for the month, at cost, and the remainder shall be the average on hand for that month; and, in like manner, ascertain the average value for each month, down to the first day of July of the year in which the return is to be made, add together such monthly values, divide the aggregate by the number of months he has been

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Merchants.

Monthly sale.



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in business during the preceding year, as aforesaid, and to the quotient add the moneys and credits on hand the first day of July of the year in which the return is made, and the product of this last addition shall be the sum upon which he shall pay taxes for the year in which the return is made.

**SEC. 12.** Every person engaged in making, fabricating or changing things into new forms for use, or in refining, rectifying or combining different materials for use, shall be held to be a manufacturer, and shall, at the same time he is required to list his other property, make and deliver to the Auditor of the County in which his place of business is situated a statement of the average value, estimated as provided in the preceding Section, of all articles purchased, received or otherwise held for the purpose of being used by him in his business, at any time during the year preceding the first day of July of the year in which the return is made; and he shall also list, at their full value, all machinery, tools, implements, fixtures and engines used, or purchased for use, in his business, (except such as have been appraised for taxation as part of the realty,) together with all manufactured articles which have been on hand and remained unsold for one year or more prior to the first day of July of the year in which the return is made; also, all the moneys and credits pertaining to said business on hand on said first day of July: *Provided*, That all materials provided for use in said business shall be estimated as on hand until sold, or remain on hand in a manufactured State for one year.

**SEC. 13.** The road bed, right of way, station buildings, toll houses, structures, tools, machinery, poles, wires, fixtures, vessels and real estate owned and necessarily in daily use by any railroad, turnpike, plank road, bridge, telegraph, canal or slack water navigation company, in the prosecution of its business, shall, for the purposes of this Act, if the company be organized in this State, be held to be personal property, and the President, Secretary, or principal accounting officer thereof, shall include the value thereof in the return of the other personal assets of such company for taxation; which return shall be made in the month of July, or before the twentieth of August, annually, to the several Auditors of the Counties in which such road, canal, bridge, telegraph line or slack water navigation company may be situate, according to the value of such property in each, together with a statement of the amount of such assets situate in each city, town, village or ward in said Counties, respectively; and the value of the movable assets of such company shall be apportioned to each town, city, ward or village in proportion to the value of the road bed, canal, slack water navigation, bridge or telegraph line in each.

SEC. 14. The President and Secretary of every railroad company whose track or road bed, or any part thereof, is in this State shall, annually, between the first of July and twentieth of August, return to the Comptroller General, under their oaths, the total length thereof in each County, city, town and incorporated village in this State; the total length of their double track in this State, and the length thereof in each County, town, city and incorporated village of this State; the total length of all their side tracks, and the length thereof in each city, County, town and incorporated village in this State; the location and value of all their shops, depots, grounds, station houses, wood and water stations, buildings, stationary engines, tools, implements and fixtures in South Carolina, and all other real estate necessary to the daily running operations of the road; the number and value, each, of all their locomotive engines, passenger, freight, platform, gravel, construction, hand and other cars; the value of their moneys and credits; the total value of the entire road appurtenances and equipments, and the total value of said road in South Carolina, with its appurtenances and equipments.

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Railroads.

President  
and Secretary  
to make re-  
turns to Com-  
ptroller General

SEC. 15. The President and Secretary of every railroad company mentioned in the preceding Section shall also, annually, between the first of July and the twentieth of August, return to the County Auditor of each County in South Carolina through or into which such road, or any part thereof, may be located, a statement of the value of said road, and the property of the company in said County, and in each of the towns, cities and villages of said County, through or into which said road, or part thereof, is located, in the manner and form required by this Act in the return to the Comptroller General.

Returns to  
County Audi-  
tors.

SEC. 16. In ascertaining the value of the road and property of any railroad company, the value of the right of way, bed and track of the whole road shall be fixed, and such value apportioned *pro rata* to each mile of the main track; and to the value of the number of miles of main track in each town, city and incorporated village of each County in this State through and into which said road is located shall be added the value of the real estate, fixtures, stationary engines, tools, implements, machinery and other stationary property provided for use in the daily operations of the road situate in said town, city or village; and the total value of the rolling stock, moneys and credits shall be apportioned *pro rata* to each mile of the main track of said road, and the amount thereof, according to the number of miles of main track in each town, city and village in this State, added to the value of the main track in such town, city and village, respectively; and the

Valuations.

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aggregate value of said road and property in this State, and in each County, city, town and incorporated village of this State, through or into which said road is located, shall be stated in said return.

Form of  
returns. SEC. 17. The return and oath, required by this Act, of officers of railroad companies shall be made in such form as shall be prescribed by the Comptroller General.

Receivers to  
make returns. SEC. 18. If any railroad, its appurtenances, equipments, &c., shall be in the hands of a receiver or other officer, such receiver or other officer shall make the returns required by this Act.

Comptroller  
General, & offi-  
cial powers. SEC. 19. The Comptroller General, or any person appointed by him for that purpose, may put any question, in writing, he may deem proper to any officer, agent or receiver of any railroad company having any portion of its track in this State; and he may summon any officer, receiver or agent of such company to appear before him and testify, under oath, (which oath said Comptroller General is authorized to administer,) touching such railroad company's property, and the management and disposition thereof; and he may, by himself, or some person appointed by him, examine the books and papers of such company, in the hands of the company, or any of its officers, agents or receivers; and all such officers, agents and receivers shall answer, under oath, all such questions as shall be put to them, or either of them, by said Comptroller General, or any person appointed by him for that purpose, relative to the condition, amount and value of said company's property and the management or disposition thereof; and if any such officer, receiver or agent shall refuse or neglect to appear before said Comptroller General, or the person appointed by him, or to answer any question put to him or them, as aforesaid, or submit the books and papers aforesaid for examination, in manner aforesaid, he shall be deemed guilty of a misdemeanor, and, upon indictment and conviction therefor in the Court of General Sessions for any County, (which Court shall have complete and full jurisdiction in all such cases,) shall be fined in any sum not exceeding five thousand dollars, and costs of prosecution, and confined in the jail of said County until he answers all questions which may be put to him by the Comptroller General, and until said fine and costs be paid.

State Board  
of Equaliza-  
tion. SEC. 20. The Treasurer of the State, Secretary of State, Comptroller General and Attorney General of the State shall constitute a State Board of Equalization, (a majority of whom shall constitute a quorum for the transaction of business,) who shall meet at the office of the Comptroller General, at the capital, on the second Wednesday of September, annually, or as soon thereafter as the Comptroller



General shall notify said Board that the returns of the several railroad companies have been filed in his office, and equalize the value of the property of railroad companies whose roads are wholly or partially in this State, as returned to the Comptroller General, under the provisions of this Act, by increasing the value of the roads and property of such companies as shall have been, in their judgment, returned at too low a valuation, and diminishing the values of such as may have been returned at too high a valuation. They shall keep a record of their proceedings, which shall be signed by all the members present and deposited with, and kept by, the Comptroller General; and a majority of the members present shall be competent to decide all questions which may come before said Board.

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Duties.

SEC. 21. The Comptroller General shall certify to the County Auditor of each County in which any railroad, or part thereof, may be located the valuations of railroad property in said County, as returned to him, with all additions made to, or deductions from, the valuation of the property of any railroad company in said County by the State Board of Equalization; and the County Auditor shall charge the railroad company in the several cities, towns and incorporated villages of their County, for taxation, with the valuations returned by such company or companies, after adding thereto, or deducting therefrom, the amounts directed by the Comptroller General.

Certificates  
to County  
Auditors by  
Comptroller  
General.

SEC. 22. If any railroad company, or its officers, shall fail to make the returns to the Comptroller General and to each County Auditor in each County in which any railroad, or part thereof, may be located, as required by this Act, on or before the 20th day of August annually, the State Board of Equalization shall proceed to ascertain the value of said company's road and property, according to the principles prescribed in this Act, from the best information they can conveniently obtain, and add thereto fifty per centum as penalty, and apportion the same to the several Counties, towns, cities and incorporated villages through or into which said road, or any part thereof, may be located; and the Comptroller General shall certify the same to the several County Auditors, who shall place the same on their duplicates for taxation.

Failure of  
railroad com-  
panies to make  
returns.

Penalty.

Comptroller  
General to cer-  
tify to County  
Auditors.

SEC. 23. Any person or persons, company or corporation, engaged in the business of conveying to, from or through this State, or any part thereof, moneys and other personal property shall be held to be an express company; and any person or persons, company or corporation, engaged in the business of transmitting messages to, from or through this State, or any part thereof, shall be held to be a telegraph company; and any such company, having its

Express and  
telegraph com-  
panies.



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Returns to be  
made to Comptroller General

principal office out of this State, shall, annually, in the month of July, or before the twentieth of August, by its principal agent in this State, make out and deliver to the Comptroller General a statement, under oath, showing the value of all its personal property in this State, including poles, wires, batteries, machinery, materials and apparatus, and the Counties, cities, towns and incorporated villages in which the same may be situate, together with the gross earnings of said company in this State, for business done in this State the year ending the first day of that month, and the company's proportion of receipts for business done in connection with the lines of other companies out of this State; and which statement shall show the value of said property and receipts in each County, town, city and incorporated village in which such company has an agency or agencies, and from which aggregate shall be deducted, by any such telegraph company, the expenses of the office in this State, to which all other agencies of the company in this State are required to make returns, except rents and officers' salaries; and which statement shall also show the aggregate value of the property and receipts aforesaid, after making the deduction aforesaid in each County, city, town and incorporated village in which such company may have an agency or agencies; and said company, by its principal agent, shall, also, between the first of July and twentieth of August, annually, deliver to the Auditor of each County in this State in whose County such company may have an agency or agencies a statement of the proportion of the net value of the property and receipts aforesaid, showing the amount thereof in each town, city and incorporated village in which it has any agency or agencies; and said company shall be charged on the duplicate of each of said Counties with taxes on the amount so returned in each town, city and village aforesaid: *Provided*, That ordinary transportation companies, engaged exclusively in the transportation of merchandise over the railroads and canals of this State, in connection with other roads, canals or lines of navigation, shall not be considered express companies within the meaning of this Act.

Returns to be  
made to County Auditors.

Proviso.

Failure to  
make returns.

SEC. 24. If any express or telegraph company shall fail to make and deliver to the Comptroller General the statement required by this Act on or before the twentieth day of August annually, such company shall forfeit and pay to the State of South Carolina five hundred dollars as a penalty, and the Comptroller General shall certify the fact of such failure to the Auditor of any County in this State in which said company may have an office or an agent, and said Auditor shall place the same on the duplicate of said County; and if any express or telegraph company shall fail to make to the Auditor of any County in this State the statement required by this

Act on or before the twentieth day of August of any year, such County Auditor shall notify the Comptroller General thereof; and if the Comptroller General shall have received from said company the statement required by this Act to be made to him by said company, he shall certify the amount returned as in said County to such County Auditor, and add thereto, as penalty, the sum of ten dollars, which shall be charged to said company on the duplicate of said County collected and paid over to the State Treasurer in the same manner herein provided as to the penalty for not making the return to the Comptroller General: *Provided*, That if any express or telegraph company shall fail to return the statement required by this Act to the Comptroller General, and the Comptroller General shall certify such failure to any County Auditor, such County Auditor shall proceed to ascertain the gross receipts of each agent of said company in his County for the year ending the first day of July of that year, together with the value of all other property of the company in his County, add fifty per cent. thereto as penalty, and charge the company with taxes thereon, at the several localities required by this Act, without any deduction for expenses paid out by the company. And if any such company shall have no principal office or agency in this State to which the other agents in this State are required to make return, each agent thereof in any County shall make return in the month of July, or before the twentieth of August, annually, of the gross receipts of his agency for the year ending the first day of that month, with the value of all other property of the company in the city, village or town in which his agency is situate, and the County Auditor shall charge the company with taxes thereon at the same rates as other property in the same localities; and if such agent or agents refuse or neglect to make such return, the County Auditor shall ascertain the amount of such gross receipts and value of property, add fifty per cent. thereto as penalty, and charge such company with taxes thereon at the same rates charged other property at the several localities where such property may be situate and such agencies located.

SEC. 25. All returns required by this Act to be made by express and telegraph companies having their principal offices out of this State shall be made in such form as the Comptroller General shall prescribe; and the Comptroller General is authorized to require answers, under oath, to any questions he may put to the principal, or any other agent, of any of said companies in this State, and to examine any of such agents, under oath, relative to the property and affairs of such companies, and the management thereof, which oath he may administer; and if any such agent shall refuse to submit to such examination, or refuse or neglect to answer any such ques-

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Penalty.

Proviso.

Form of  
returns.Comptroller  
General to re-  
quire answers  
to be made un-  
der oath.

A. D. 1874.

Contempts.

tions, he shall be deemed guilty of contempt of the Comptroller General, and the Comptroller General may certify the fact to the Court of General Sessions of any County in this State, which shall issue a warrant for the arrest of such agent, in the name of the State of South Carolina, directed to the Sheriff of such County, who shall arrest such agent anywhere in this State and take him before said Court of General Sessions, and, upon hearing and conviction, such agent shall be fined by said Court in any sum not exceeding five hundred dollars and costs, and be confined in the jail of the County where tried until such fine shall be paid and answers be given to all such questions as the Comptroller General may propound to him.

Penalty.

Insurance  
agents to make  
returns.

SEC. 26. Each agent in this State of any insurance company organized under the laws of any other State or country, and doing business in this State, shall, annually, in the month of July, or before twentieth of August, return to the Auditor of the County in which such agency is located a sworn statement of the gross receipts of such agency for the year ending on the first day of that month, including all notes, accounts and other things received or agreed upon as a compensation for insurance at such agency, together with all the value of any personal property of said company situate at such agency; and the company shall be charged with taxes, at the place of said agency, on the amount so returned; and the agent shall also be personally responsible for such taxes, and may retain in his hands a sufficient amount of the company's assets to pay the same, unless the same shall be paid by the company.

Responsi-  
bility of agents.Returns—  
where to be  
made.

SEC. 27. Every insurance company organized under the laws of this State shall return all its personal property, moneys, credits, (including notes taken on subscription of stock,) investments in bonds, stocks, securities and assets of every kind, for taxation at the place where its principal office is located.

Corporations  
owning prop-  
erty outside  
the State.

SEC. 28. Any company or corporation organized under the laws of this State, and owning property in any other State or country, as well as in this State, shall not be required to return its capital for taxation in this State, but shall return such property as it owns in this State, and such proportion of the value of its other property as, if owned by the individual residents of this State, would be taxable in this State; and if such return be made by such company, the shareholders therein shall not be required to return their shares for taxation.

SEC. 29. A corporation organized under the laws of this State, but owning no property in this State, shall not be required to return its capital for taxation in this State.

SEC. 30. All companies and corporations, whether organized under



the laws of this State or not, the manner of listing whose personal property is not otherwise specifically provided for by law, shall list for taxation all their personal and real property and effects at the same time, in the same manner, and in the same localities as individuals are required to list similar property and effects for taxation.

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Companies, whether organized under the laws of this State or not, liable to taxation.

SEC. 31. Any company incorporated under a joint charter granted by this and some other State or States, and the manner of taxing which, or the amount upon which it shall be taxed, or the specific proportion of its capital or property upon which taxes shall be assessed in South Carolina is prescribed or fixed in its charter, shall be assessed for taxation and taxed as prescribed in this charter until otherwise legally provided.

Companies organized under joint charters.

SEC. 32. All shares of the stockholders in any bank or banking association located in this State, whether now or hereafter incorporated or organized under the laws of this State or of the United States, shall be listed at their true value in money, and taxed in the city, ward, town or incorporated village where such bank is located, and not elsewhere: *Provided*, That the words "true value in money," as used in line four of this Section, shall be so construed as to mean and include all surplus or extra moneys, capital and every species of personal property of value owned or in the possession of any such bank.

Bank stocks.

Proviso.

SEC. 33. The real estate of any such bank or banking association shall be taxed in the place where the same may be located, the same as the real estate of individuals.

Real estate of banks.

SEC. 34. There shall, at all times, be kept in the office where the business of such bank or banking association is transacted a full and correct list of the names and residences of the stockholders therein, and the number of shares held by each; also a list of all persons, parties, corporations or agents who may at any time have any deposit, either personal or general, in such bank, which shall be at all times, during business hours, open to the inspection of all State and County officers who are, or may be, authorized to list or assess the value of such shares for taxation.

Banks to keep lists of stockholders.

SEC. 35. It shall be the duty of the President and Cashier of every such bank or banking association, between the first of July and twentieth of August, annually, to make out and return, under oath, to the Auditor of the County in which such bank or banking association may be located, a full statement of the names and residences of the stockholders therein, with the number of shares held by each, and the actual value, in money, of such shares, together with a description of the real estate owned by said bank.

Duties of officers.

SEC. 36. The Auditor of the County in which any such bank or



A. D. 1874. banking association may be located, upon receiving the return provided for in the thirty-fifth Section of this Act, shall deduct from the actual total value of the shares in any such bank or banking association the appraised value of the real estate owned by such bank or banking association, as the same stands assessed on the duplicate, and the remainder of the total value of such shares shall be entered on the duplicate of the County, in the names of the owners thereof, in amounts proportioned to the number of shares owned by each, as returned on said sworn statement, and be charged with taxes at the same rate as charged upon the value of other personal property at the place where such bank or banking association is located.

Duties of  
County Audi-  
tors.

Assessments  
to remain as  
liens until  
taxes are paid.

SEC. 37. Any taxes assessed on any such shares of stock, or the value thereof, in manner aforesaid, shall be and remain a lien on such shares from the first day of July in each year until such taxes are paid; and in case of the non-payment of such taxes, at the time required by law, by any shareholder, and after notice received of the County Treasurer of the non-payment of such taxes, it shall be unlawful for the Cashier or other officer of such bank or banking association to transfer, or permit to be transferred, the whole or any portion of said stock until the delinquent taxes thereon, together with the costs and penalties, shall have been paid in full; and no dividend shall be paid on any stock so delinquent so long as such taxes, penalties and costs, or any part thereof, remain due or unpaid.

Banks may  
pay taxes on  
shares.

SEC. 38. It shall be lawful for any such bank or banking association to pay to the Treasurer of the County in which such bank or banking association may be located the taxes that may be assessed upon its shares, as aforesaid, in the hands of its shareholders, respectively, and deduct the same from any dividends that may be due, or may thereafter become due, on any such shares, or deduct the same from any funds in its possession belonging to any shareholder, as aforesaid.

Examination  
of books and  
officers.

SEC. 39. If any bank or banking association shall fail to make out and furnish to the County Auditor the statement required by the 35th Section of this Act, within the time required herein, it shall be the duty of said Auditor to examine the books of said bank or banking association, also to examine any officer or agent thereof, under oath, together with such other persons as he may deem proper, and make out the statement required by said 35th Section, and enter the value of said shares on the duplicate for taxation. Any bank officer failing to make out and furnish to the County Auditor the statement, or willfully making a false statement, as required in this Act, shall be liable to a fine not exceeding one thousand dollars, together with all costs and other expenses

Penalty for  
failure to make  
return.

incurred by the Auditor, or other proper officer, in obtaining such statement aforesaid. A. D. 1871.

SEC. 40. All unincorporated banks and bankers shall, annually, between the first of July and thirtieth of August, make out and return to the Auditor of the proper County, under oath of the owner or principal officer or manager thereof, a statement setting forth: Returns of unincorporated banks.

1st. The average amount of notes and bills receivable discounted, or purchased in the course of business by such unincorporated bank banker or bankers, and considered good and collectible. Form of statement.

2d. The average amount of accounts receivable.

3d. The average amount of cash items in possession or in transit.

4th. The average amount of all kinds of stocks, bonds or evidences of indebtedness held as investment, or in any way representing assets.

5th. The average amount of real estate, at its assessed value for taxation.

6th. The average amount of all deposits made with them by other parties.

7. The average amount of accounts payable, exclusive of current deposit accounts.

8th. The average amount of government and other securities, specifying the kind that are exempt from taxation.

9th. The amount of capital paid in or employed in such banking business, together with the number of shares or proportional interest each shareholder or partner has in such association or partnership.

From the aggregate sum of the first five items above enumerated, the said Auditor shall deduct the aggregate sum of the fifth, sixth, seventh and eighth items, and the remainder thus obtained shall be entered on the duplicate of the County in the name of such bank, banker or bankers, and taxes thereon shall be assessed and paid, the same as is provided for other property as assessed and taxed in the same city, ward, town or incorporated village. Duties of Auditor.

SEC. 41. The average provided for in the preceding Section shall be obtained by adding together the amounts of each item above specified owned by or standing on the books of such bank, banker or bankers on the first day of each month of the year ending the last day of June in the year in which the return is made, and dividing the same by the number of months in the year: *Provided*, That in cases where such bank, banker or bankers commenced business during the preceding year the division shall be made by the number of months elapsed after the commencement of such Manner of obtaining averages.

Provisos.

A. D. 1874. business: *Provided*, That all fractions of a month shall be counted as a month.

Unincorporated companies. SEC. 42. Every company, association or person not incorporated under any law of this State, or of the United States, for banking purposes, who shall keep an office or other place of business, and engage in the business of lending money, receiving money on deposit, buying and selling bullion, bills of exchange, notes, bonds, stocks or other evidences of indebtedness, with a view to profit, shall be deemed a bank, banker or bankers, within the meaning of the provisions of this Act.

Power of County Auditors to enforce returns. SEC. 43. The County Auditor shall have the same powers to enforce correct returns from bank officers and bankers, to examine witnesses and enforce their attendance, and have the same aid of the Court of General Sessions of the County as is provided by law in cases where individuals fail to list their property for taxation, or are suspected of having made false returns; and in all cases of failure to make returns under this Act, or in a case of false return by any unincorporated bank, banker or bankers, the Auditor shall ascertain the true amount, as near as may be, add fifty per cent. penalty thereto, and charge the party or parties with the taxes on the amount so ascertained by him, with the penalty aforesaid; but in cases of unintentional mistake in making the return, the true amount only shall be charged against the parties, without penalty.

Penalty for making false returns. SEC. 44. Every pawnbroker, person or company engaged in the business of receiving property on pledge, or as security for money or other thing advanced to the pawner or pledger, shall, annually, in the month of July, or before the thirtieth of August, return, under oath, to the Auditor of the County in which his place of business is located, the average monthly value of all property pawned or pledged to him during the year ending July first of the year in which the return shall be made, or, if engaged in the business for less than a year prior to said first day of July, then for such shorter period; and such average shall be ascertained by the rule prescribed in this Act for ascertaining the average value of the property of merchants, and taxes charged on such average value as upon other property at the same place.

Pawnbrokers to make returns. SEC. 45. Any person claiming not to have any property shall, upon the demand of the Auditor, make oath to the fact that he has no property; and if he refuse to make such oath he shall be deemed guilty of contempt of the Auditor, and, upon complaint of such Auditor to the Court of General Sessions of the County, shall be arrested and confined in the jail of the County until he answers such questions, under oath, as may be propounded to him by such Auditor, and pay the costs of the proceeding.

Persons claiming to be non-property holders required to make oath.



SEC. 46. The proceeds of mines and mining claims shall be assessed and subject to taxation.

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Mines.

SEC. 47. The Comptroller General shall prescribe the forms of all returns of taxation, and of the oaths that shall be made thereto, and transmit the same to the several County Auditors; and any return made in any way varying therefrom shall not be regarded as a return.

Comptroller General to prescribe forms of returns.

SEC. 48. If any person shall refuse or neglect to make out and deliver to the Auditor a statement of personal property, as provided by this Act, or shall refuse or neglect to make and subscribe an oath as to the truth of such statement, or any part thereof, or in case of the sickness or absence of such person, the Auditor shall proceed to ascertain, as near as may be, and make up and return a statement of the personal property, and the value thereof, with which such person shall be charged for taxation, according to the provisions of this Act; and, to enable such Auditor to make up such statement, he is authorized to examine any person or persons, under oath, and to ascertain, from general reputation and his own knowledge of facts, the character and value of the personal property of the person thus absent or sick, or refusing or neglecting to list or swear; and said Auditor shall return the lists so made up by him endorsed "Refused to List," or "Refused to Swear," or "Absent," or "Sick," as the case may be, and in his return, in tabular form, shall write the same words opposite the names of each of the persons so refusing or neglecting to list or swear, or absent or sick.

Failure to make returns.

Duties of Auditors.

SEC. 49. If any person shall fail to list the personal property he is required by law to list in any one year, and the same escapes taxation for that year, the value thereof shall be charged against him for taxation in any subsequent year, with fifty per cent. penalty added thereto, and the taxes and penalty collected as in other cases.

Penalty for failure to lists.

SEC. 50. All real and personal property shall be valued for taxation at its true value in money, which, in all cases not otherwise specially provided for in this Act, shall be held to be the usual selling price of similar property at the place where the return is to be made; and if there be no usual selling price, then at what is honestly believed could be obtained for the same, at a fair sale, at the place aforesaid; but each parcel of real property shall be separately appraised, without reference to the value of any growing crops thereon.

Mode of ascertaining valuations.

SEC. 51. The following articles of personal property shall be valued for taxation as follows, to wit: Money, bank bills, and other bills lawfully circulating as money, at the par value thereof; credits, at the amount payable on the face of the contract, instru-

Personal property taxable.



A. D. 1874.

ment or account, unless the principal be payable at a future time without interest; then, at the sum payable, less the lawful interest thereon, for any term of credit not exceeding one year; contracts for the delivery of specific articles, at the usual selling price of such articles at the time of listing; leasehold estates held for any definite term, at the yearly value thereof to the lessee; annuities, at the yearly value thereof to the owner at the time of listing. All leasehold estates, held on perpetual lease, or for a term certain, renewable forever at the option of the lessee, shall be valued at the full price of the land, and continue to be taxed at such value to the end of the term. When the fee of the soil in any tract or lot of land is in one person, and right to any minerals therein or structures thereon in another, the proceeds of the minerals and said structures shall be valued and taxed as personal property to the owners thereof respectively.

County Auditors to make list of names of taxpayers.

SEC. 52. Each Auditor shall, on or before the twentieth day of September, annually, make out, in tabular form and alphabetical order, a list of the names of the several persons, companies and corporations in whose names any personal or real property shall have been listed, giving the first Christian name of the several persons; and he shall enter separately, in appropriate columns, opposite each name, the aggregate value of the several species of property mentioned in this Act, making separate lists of the property listed as taxable in incorporated villages, cities and wards, and that listed as taxable out of cities, wards and incorporated villages, all of which columns shall be accurately added up and footed; and, at the same time, file and preserve in his office statements of property listed by him or received by him from others.

County Auditors' duties.

SEC. 53. Each Auditor shall, annually, at the time of taking the list of personal property, also take a list of all real property in the County subject to taxation which shall not have been previously listed; and of all new structures, of the value of one hundred dollars or more, not previously listed; and of all old structures, of the value of one hundred dollars or more, which were destroyed during the previous year, and affix a value thereto, with a description of the land or lot on which the same was or is situate, endorse his affidavit thereon that the same is correct, that the valuations therein stated have been made according to the rules prescribed by this Act, and return the same with the names of the owners respectively; and if the owner of any such new structure shall be the owner of the land on which it is situate, or of a permanent leasehold estate therein, the County Auditor shall add to, or deduct from, the value of the land or lease, as the case

may be, as the same may stand on the duplicate, the value of such structure so returned: *Provided*, That the Auditor shall not deduct any greater amount for the destruction of any structure than was previously charged for the same on the duplicate.

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SEC. 54. It shall be the duty of each Auditor to state, in the column of remarks, opposite each taxpayer's name, in the return made by him, any amount which he believes ought to be added to the valuation of the property listed by such taxpayer, his agent or other person, of which written notice shall be given by the Auditor to such person at least fifteen days before the meeting of the Board of Equalization. It shall also be his duty, at any time after his return, if he ascertain that any personal property in his County has not been listed, to list the same, and make return thereof, with the valuation thereof as fixed by the owner or himself, and the name of the owner or person to whom it is taxable, and the Auditor shall charge the same on the duplicate for taxation, adding fifty per cent. to the value, as returned, as penalty.

Auditors may add to value, and notify taxpayers of same.

SEC. 55. Any person, company or corporation commencing any business in any County of this State after the first day of July in any year, the capital or personal property employed in which shall not have been previously listed for taxation in said County for such year, shall, within thirty days after commencing such business, report to the Auditor of the County, under oath, the average amount of the capital intended to be employed in such business, from the time of its commencement, to the first day of July next ensuing; and upon making satisfactory proof to said Auditor that such capital or property has been regularly listed for taxation in some other County in this State, said Auditor shall file report and proofs in his office, and give to the party a certificate that he or they have complied with the provisions of this Section, and are not liable to taxation in his County on such capital or property for the then current fiscal year. But if he or they shall not satisfactorily prove that such capital or property has been previously listed for taxation in some County of this State, said County Auditor shall charge him or them on his duplicate with such proportion of all taxes levied on others upon similar capital or property, at the place of the business, as the time from the commencement of the business to the ensuing first day of July bears to one year.

Persons commencing business shall report to County Auditors.

SEC. 56. It shall be the duty of each County Auditor to ascertain the names of all persons commencing any business in his County after the first day of July, annually, whose capital or property employed in such business was not listed for taxation in his County for the then current fiscal year.

Auditors to ascertain the names of persons commencing business after 1st July, annually.

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Penalty for failure to report commencement of business to Auditor.

SEC. 57. If any person, company or corporation shall commence any business in any County of this State after the first day of July in any year, the capital or property employed in which shall not have been previously listed for taxation in said County, and shall not, within thirty days thereafter, make such report to the Auditor of said County as is required in the fifty-fifth Section of this Act, he or they shall forfeit and pay the sum of one hundred dollars, which shall be collected by civil action in the name of the County Commissioners, and paid into the County treasury for the exclusive benefit of the County. And process in such case may issue out of the Court of Common Pleas of the County in which such business was commenced, directed to the proper officer, and be served in any County of this State.

Auditors to make brief descriptions of each tract of real property in their respective Counties.

SEC. 58. It shall be the duty of each County Auditor to make out, from the maps and descriptions in his possession, and from such other sources of information as shall be in his power, a correct and pertinent description of each tract and lot of real property in his County; and, when he shall deem it necessary to obtain an accurate description of any separate tract or lot in his district, he may require the owner or occupier thereof to furnish the same, with any title papers he may have in his possession; and if such owner or occupier, upon demand made for the same, shall neglect or refuse to furnish a satisfactory description of such parcel of real property to such Auditor, he may employ a competent surveyor to make out a description of the boundaries and location thereof and a statement of the quantity of land therein; and to the expense of such survey the Auditor of the County shall add the tax assessed upon such real property, and it shall be collected by the Treasurer of the County with such tax, and, when collected, shall be paid, on demand, to the person to whom the same is due.

Auditors may enter buildings for purpose of making valuations.

SEC. 59. For the purpose of enabling the Auditor to determine the value of buildings and other improvements, he is hereby authorized to enter and fully to examine all buildings and structures, of whatever kind, except dwellings, which are not by law expressly exempted from taxation.

Auditors to make list of property exempt from taxation.

SEC. 60. The Auditor, at the time of making the assessments of other real estate for taxation, shall enter in a separate list pertinent descriptions of the real estate exempt from taxation by law, with the valuation thereof made by himself, determined by the rules prescribed by law, and designating the owner of each several parcel: *Provided*, If the name of the owner of any tract or lot shall be unknown, the word "unknown" shall be entered in the column of names opposite said tract or lot.

SEC. 61. The Judges of the Circuit Courts of this State shall, on



or before the first day of July next, and every fifth year thereafter, appoint three intelligent tax-paying citizens in each of the Counties of their respective Circuits, who, with the County Auditor and County Treasurer, shall form a County Board, for the equalization of the property of their respective Counties, with the exception of the real property in the city of Charleston, which shall be equalized by a Special Board, as is herein provided, and such Board shall organize by the election of a Chairman, and any two of them shall constitute a quorum for the transaction of business, and the County Auditor shall be the Clerk thereof. Such Board shall meet as often as the Chairman, or a majority thereof, shall direct, at the Auditor's office in the several Counties, when the County Auditor shall lay before them the returns of the real property made by him, with the addition he shall have made thereto, and, having each taken an oath, before some officer duly qualified to administer the same, fairly and impartially to equalize the value of the real estate of such County, according to the provisions of this Act, they shall immediately proceed to equalize such valuation, so that each tract shall be entered on the tax list at its true value. They shall hear all grievances, and any person whose property has been assessed above its true value, not only in assessments already made, but in those hereafter to be made, who cannot secure relief from said Board, shall have the right to appeal to the Comptroller General of the State, to whom shall be forwarded all the testimony relative to such alleged grievance; and the said Board shall receive such compensation for their services, out of the County Treasury, as the Circuit Judge shall direct, not exceeding three dollars (\$3) per diem for the time actually employed thereon; and, for the purpose of performing the duties herein required, shall observe the following rules:

1st. They shall raise the valuation of such tracts and lots of real or personal property as, in their opinion, have been returned below their true value to such price or sum as they may believe to be the true value thereof, and due notice shall be given to the owner or agent of such property.

2d. They shall reduce the valuation of such tracts and lots of personal property as, in their opinion, have been returned above their true value, as compared with the average valuation of the real property of such County, having due regard to the relative situation, quantity of soil, improvement, natural and artificial advantages, possessed by each tract or lot of real property.

3d. They shall not reduce the aggregate value of real and personal property of the County below the aggregate value thereof as returned by the County Auditor, with the addition made thereto by said

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County Board  
of Equaliza-  
tion.Duties of  
Board.Further du-  
ties of Board.



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Auditor, as hereinbefore required. The County Auditor shall keep an accurate journal or record of the proceedings and orders of said Board.

Special Board  
of Equaliza-  
tion of city of  
Charleston.

SEC. 62. There shall be a Special Board for the equalization of the real and personal property, moneys and credits in the city of Charleston, to be composed of the County Auditor and six citizens of said city, to be appointed by the City Council of said city, which Board shall meet annually, at the Auditor's office of said County, on the first Monday in September, and shall have power to equalize the value of the real estate and personal property, moneys and credits within said city, and shall be governed by the rules, provisions and limitations prescribed for the government of annual County Boards for the equalization of real and personal property, moneys and credits; but said Board shall not continue its sessions more than two weeks in one year. The County Auditor shall add to, or deduct from, the value of the real estate or personal property such per centum, in villages, towns, wards, blocks or other districts, as may be ordered by the Board of Equalization of the city or County, as the case may be, on the duplicate, distributing the same *pro rata* to each owner, and shall add to, or deduct from, the valuation of the real or personal property of individuals, companies or corporations such sum or sums as may be ordered by either of said Boards.

County Au-  
ditors to trans-  
mit to Compt-  
roller General  
abstract of the  
real property  
in their respec-  
tive Counties.

SEC. 63. Each County Auditor shall, on or before the thirtieth of September, one thousand eight hundred and seventy-one, and on the same day in each year thereafter, make out and transmit to the Comptroller General and the County Commissioners an abstract of the real property of each district in his County, in which he shall set forth:

1. The number of acres, exclusive of town lots, returned by said Auditor, with such additions as shall have been made thereto.

2. The aggregate value of such real property, other than town lots, as returned by said Auditor, inclusive of such additions as shall have been made thereto under the provisions of this Act.

3. The aggregate value of the real property in each town, city and village in his County, as returned by said Auditor, as shall have been made thereto.

State Board  
of Equalization

SEC. 64. The State Board of Equalization shall consist of one member from each Congressional District of the State, all of whom shall have the qualification of electors; and the qualified electors of each Congressional District shall, at the general election in the year one thousand eight hundred and seventy-four, and on the same day in every fourth year thereafter, elect persons to serve as members of such Board of Equalization, in accordance with the provisions of this Section; and the returns of the poll books

How elected.

and certificates of election shall be governed by the law regulating the election of Representatives to Congress; and in case of vacancy in such office, either by death, resignation or otherwise, the Governor of the State shall have the power to appoint a person, who shall be a resident elector of the district so vacated, to fill such vacancy, as soon as he shall be informed thereof. The Governor, Secretary and Comptroller General shall, by virtue of their offices, be members of this Board. The said Board shall meet at Columbia on or before the fifth of October, one thousand eight hundred and seventy-four, and on the same day in every fourth year thereafter, and the members thereof shall each take an oath or affirmation that he will, to the best of his knowledge and ability, so far as the duty devolves on him, equalize the valuation of real property among the several Counties, towns, cities and villages in the State, according to the rules prescribed by this Act for valuing and equalizing the value of real property; and, having received from the Comptroller General the abstracts of real property transmitted to him by the several County Auditors, said Board shall proceed to equalize the same among the several towns, cities, villages and Counties in the State in the manner hereinafter prescribed:

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Governor to fill vacancies.

Duties of Board.

1st. They shall add to the aggregate value of the real property of every County which they shall believe to be valued below its true value in money such per centum, in each case, as will raise the same to its true value in money.

Board may add to value.

2d. They shall deduct from the aggregate valuation of the real property of every County which they shall believe to be valued above its true value in money such per centum, in each case, as will reduce the same to its true value in money.

Value may be reduced.

3d. If they believe that right and justice require the valuation of the real property of any town, city or village in any County, or of the real property of such County not in towns, cities or villages, to be raised or to be reduced, without raising or reducing the other real property of such County, or without raising or reducing it in the same ratio, they may, in every such case, add to or take from the valuation of any one or more of such towns, cities or villages, or of property not in towns, cities or villages, such per centum as they believe will raise or reduce the same to its true value in money.

Discretionary powers of Board.

4th. Said Board shall keep a full account of their proceedings and orders.

SEC. 65. When the State Board of Equalization shall have completed their equalization of real property among the several Counties, the Comptroller General shall transmit to each County Auditor a statement of the per centum to be added to or deducted from the

Comptroller General to transmit statement to County Auditors.

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valuation of the real property of his County, specifying the per centum added to, or deducted from, the valuation of the real property in each of the several towns, villages and cities, and of real property not in towns, villages or cities, in case an equal per centum shall not have been added to or deducted from each; and the County Auditor shall forthwith proceed to add to, or deduct from, each tract or lot in his County the required per centum on the valuation thereof as it stands, after having been equalized by the County Board of Equalization, adding any fraction over fifty cents, and deducting any fraction less than fifty cents, so that the valuation of any tract or lot shall not contain any fraction of a dollar, and charge the same, with taxes, upon such equalized value. The Comptroller General shall, also, on or before October fifteenth, annually, give notice to each County Auditor of the rates per centum authorized by law to be levied for the various State purposes, which rates or per centum, shall be levied by the County Auditor on the taxable property of the County and charged on the duplicate with the taxes required to be levied and collected for other purposes.

Comptroller General to prepare forms for and give instructions to County Auditors.

SEC. 66. The Comptroller General shall, from time to time, prepare and transmit to the several County Auditors all such forms and instructions as he may deem necessary to carry into effect the provisions of this Act, and decide all questions which may arise as to the true construction of the same, or in relation to the duty of any officer under the same; and the forms thus transmitted shall be observed and used by all County, town and municipal officers. The instruction thus given shall be obeyed by, and the decisions thus made shall be binding upon, all County, town and municipal officers.

County Auditors shall make schedule of taxable property.

SEC. 67. Each County Auditor shall make out, in a book to be prepared for that purpose, in such manner as the Comptroller General shall prescribe, a complete list or schedule of all taxable property in his County, and the value thereof, as equalized, so arranged as that each separate parcel of real property in each district, other than city, village and town property, shall be contained in a line or lines opposite the names of the owners, arranged in numerical or alphabetical order, and so that each lot or parcel of real property in cities, villages and towns shall be contained in a line or lines opposite the names of the owners thereof respectively, arranged in alphabetical order. And the value of all personal property shall be set down opposite the names of the owners thereof, respectively; and, if listed by any person other than the owner, for and in the name of the owner, the name of such person, and the character in which he acted, shall also be stated in such list, which list or schedule, made out as aforesaid, shall be retained in the County Aud-



itor's office, and another made for the County Treasurer, and delivered to him on or before the fifteenth day of November, annually, as his warrant for the collection of the taxes, assessments and penalties charged thereon, each and both of which lists shall be denominated the County duplicate.

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Schedule to be delivered to County Treasurer.

SEC. 68. Each County Auditor, after receiving from the Comptroller General, and from such other officers and authorities as shall be legally empowered to determine the rate or amount of taxes to be levied for the various purposes authorized by law, statements of the rates and sums to be levied for the current year, shall forthwith proceed to determine the sums to be levied upon each tract and lot of real property, and upon the amount of personal property, moneys and credits listed in his County, in the name of each person, company or corporation, which shall be assessed equally on all real and personal property subject to such taxes, and set down in one or more columns, in such manner and form as the Comptroller General shall prescribe; and in all cases where the whole amount of taxes upon the personal property, moneys and credits of any person shall not amount to ten cents, the Auditor shall not enter the same upon the duplicate, if such person has no other taxable property.

County Auditors to determine the sum to be levied upon each lot of real property.

SEC. 69. The County Auditors shall not be required to assess on the taxable property of their Counties, or of any town, city or incorporated village, or school district therein, for any purpose, nor for all purposes added together, any rate of taxation containing or resulting in any fraction other than a decimal fraction, nor in any fraction less than one-half of a mill; but if the sum required to be raised for any or all purposes results in a fraction less than one-half of a mill, such fraction shall be dropped.

Fractional assessments.

SEC. 70. The County Auditor shall enter the taxes on the duplicate, to be retained in his own office, in such number of columns as the Comptroller General shall, from time to time, direct; but on the duplicate for the County Treasurer he shall enter the taxes against each parcel of real and personal property on one or more lines, opposite the name of the owner or owners; and, in all other respects, the Comptroller General may prescribe forms for County duplicates, as may seem to him most conducive to the interest and convenience of the public, and County Auditors shall conform thereto.

Taxes to be entered on duplicate.

SEC. 71. If the County Auditor shall, at any time, discover that any real estate or new structure, duly returned and appraised for taxation, has been omitted from the duplicate, he shall immediately charge the same on the duplicate with the taxes of the current year and the simple taxes of each preceding year the same may

County Auditors may correct omissions.



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have escaped taxation. And if the owner of any real estate or new structure thereon subject to taxation has not reported the same for taxation, according to the requirements of this Act, and the same has not been appraised for taxation, the Auditor shall, upon discovery thereof, appraise the same, and, upon making return of such appraisement, shall charge the same upon the duplicate with the taxes of the then current year and the taxes of each preceding year it may have escaped taxation, with twenty per cent. penalty upon such taxes of preceding years. And if any real estate shall have been omitted in any return, the Auditor of the County shall appraise the same immediately for taxation, file such appraisement in his office, and charge the same with the taxes of the current year and the simple taxes of the preceding years it may have escaped taxation.

Examination  
of persons making  
false returns.

SEC. 72. If the County Auditor shall suspect or be informed that any person or persons, corporation or company, has evaded making a return, or made a false return, of his, her or their personal property for taxation, or have or has not made a full return, or that the valuation returned is less than it should have been, according to the rules prescribed by this Act, it shall be his duty, at any time before the settlement with the Treasurer for the year, to notify such party to appear before him at his office, at a time fixed in said notice, together with such other person or persons as said Auditor may desire to examine, and the party, together with any witness called, shall be examined by said Auditor, under oath, (which oath said Auditor is authorized to administer,) touching the personal property, and the value thereof, of such party, and everything which may tend to evince the true amount such party should have returned for taxation.

Contumacious  
witnesses.

SEC. 73. If any person notified, either as a party or witness, to appear before the County Auditor, as provided for in the preceding Section, shall refuse or neglect to appear before the County Auditor at the time stated in said notice, or shall refuse to be sworn, or refuse to answer any question put to him by said Auditor touching the matter under examination as aforesaid, he shall be deemed guilty of contempt of said Auditor, and said Auditor shall make complaint thereof to the Court of General Sessions of the County, who shall thereupon issue an attachment against the person complained of, in the name of the State of South Carolina, directed to the Sheriff of the County, who shall arrest such party anywhere he may be found in the State of South Carolina, and take him personally before said Court, and, upon conviction thereof, such party shall be fined for such contempt of the County Auditor, by said Court, in any sum not exceeding one hundred dollars and costs of prosecution.

Punishment.

tion, and be confined in the County jail of said County until answers shall be made to all questions which may be propounded to him by said County Auditor and such fine and costs paid; and when such fine is collected, it shall be paid into the County treasury, to the credit of the County.

A. D. 1873.

SEC. 74. The County Auditor, when he shall deem it necessary, may adjourn the examination provided for in the preceding Section from time to time; and if he shall find that the party had failed to make any return for taxation, or intentionally made a false return, or intentionally returned his or their property for taxation at less than its fair cash value, he shall determine what amount should have been returned by the party, and add fifty per cent. thereto as penalty, and charge the same, with said penalty, against the party on the duplicate, with the taxes of the current year; but if he shall find the party committed a merely unintentional mistake in any return made, he shall add such amount as he may deem just to such return, and charge the party with the simple taxes thereon.

Adjournment  
of examinations.

False returns.

Penalty.

SEC. 75. If, upon the examination provided for in the seventy-second Section of this Act, the return made to or by the Auditor shall be found to be correct, the expenses of the examination shall be paid by the County Auditor out of the County treasury; but if it shall be found that the return, as made, was intentionally false or that no return was made, the Auditor shall pay the expenses of the examination out of the County treasury, and charge the same to the party on the duplicate, in addition to the penalty provided for such cases; and the amount collected, with the taxes of the party, to reimburse the treasury of the County for the expenses paid as aforesaid. But if the return made was unintentionally erroneous, said Auditor shall pay the witnesses' fees and costs of serving the notice out of the County treasury, charge the same on duplicate to the party, and the same shall be collected and paid into the County treasury as aforesaid.

Expense of  
examination.

SEC. 76. The expenses to be allowed upon the examination provided for by the seventy-second Section of this Act shall be, for serving the notice or notices, the fees allowed to Sheriffs and Constables for serving a summons, and to witnesses the same fees allowed to witnesses in suits before a Trial Justice's Court.

Fees allowed.

SEC. 77. Each County Auditor shall add to the value of all personal property which the owner or other person whose duty it is made, by this Act, to list the same shall have refused or neglected to list, or to the value of which such person shall have refused or neglected to swear, fifty per centum on the value, and charge the same on the duplicate upon which taxes shall be collected and ap-

Penalty for  
neglecting or  
refusing to list  
property.

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portioned to the several funds for which taxes are assessed against such owner *pro rata* in proportion to the respective levies.

SEC. 78. That whenever any taxpayer shall fail to make returns to the Auditor of his County within the time prescribed by law, it shall be the duty of the County Auditor to enter on the tax duplicate, against such taxpayer, the property charged to him the previous year, with fifty per cent. penalty added thereto, except in cases of sickness or absence from the County, when the true amount of property only shall be charged.

County Audi-  
tors to receive  
returns from  
persons who  
have been sick  
or absent.

SEC. 79. If any person required by this Act to list property for taxation shall have been prevented by sickness or absence from giving to the Auditor the statement or return for taxation required, such person, or his agent, may, at any time prior to the tenth day of September of the year of the assessment, make out and deliver to the County Auditor a statement of the same, sworn to, (which oath the Auditor is authorized to administer,) and shall also make oath before said Auditor that he was sick or absent during the whole time when he should have otherwise listed his property for that year; and, if absent, that such absence was not for the purpose of avoiding the listing of his property. The Auditor shall receive the return made by the absent person, and charge such party with taxes on the duplicate according to the return so made to him.

County Audi-  
tors to make  
corrections in  
valuations of  
property.

SEC. 80. Each County Auditor shall correct the valuation of any parcel or lot of real property on which any structure of one hundred dollars or more in value may have been constructed, or on which any structure of like value may have been destroyed, according to the return thereof made in accordance with the provisions of this Act, and assess the tax upon such corrected valuation. Said Auditor shall also correct any errors he may discover in the name of the owner, in the description or quantity of any parcel or lot of real estate, or in any return made to his office. He shall also correct any errors in his duplicate when ordered by the Comptroller General, but he shall not reduce any assessment of personal property regularly made and returned to his office, nor make any deduction from the valuation of any tract, lot or parcel of real estate, except upon the written order of the Comptroller General, which written order shall only be made by the Comptroller General upon a statement of facts submitted to him in writing; and when any personal or real property has been listed, returned or entered for taxation in a wrong locality, the County Auditor shall correct the return or entry and charge such property with the taxes in the locality required by the provisions of this Act: *Provided*, That any correction made in the duplicate by the County Auditor shall be entered on both the Auditor's and Treasurer's duplicates, except that,

Provides.



in case of the reduction of any assessment or tax, the Auditor may furnish the Treasurer with a certificate of such reduction: *And provided, further,* That each County Auditor shall keep a record of all sales or conveyances of real property made in his County, in which he shall enter, in columns, the names of the purchaser and seller, the quality of land conveyed, the location and price of the same, and therefrom correct the County duplicates annually; and, for the purpose of carrying out this provision, the Clerks of Courts and Registers of Mesne Conveyances of each County are hereby required to have the endorsement of the County Auditor on each and every deed of conveyance for real property that the same is on record in his office before the same can be placed on record in the offices of said Clerks of Courts or Registers of Mesne Conveyances; and the said County Auditor shall be entitled to collect a fee of twenty-five cents, for his own use, for making such entry and endorsement.

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Records of sales and conveyances.

SEC. 81. Each County Auditor shall, annually, on or before November tenth, make out and transmit, by mail, to the Comptroller General a complete abstract of the duplicate of his County, which shall state the aggregate value of taxable property and the total amount of taxes assessed thereon for that year; and he shall, at the same time, also make out and transmit to the Comptroller General an abstract of the number and value of each of the enumerated articles of personal property, the value of merchants' and manufacturers' stock, and the value of all other personal property as returned by him and fixed by the Board or Boards of Equalization; but such abstracts shall be made out in such form and contain such details as the Comptroller General may prescribe.

County Auditors to transmit abstract of duplicate to Comptroller General.

SEC. 82. Each County Auditor shall attend at his office on or before the first of May, annually, or at any other time the Comptroller may direct, to make settlement with the Treasurer of his County, and ascertain the amount of taxes, penalties and assessments collected by such Treasurer, and the amount with which such Treasurer is to stand charged on account thereof, and on account of each fund for which a levy was made on the duplicate; and each Auditor shall take, from the duplicate previously put into the hands of said Treasurer for collection, a list of all such taxes, assessments and penalties as such Treasurer has been unable to collect, therein describing the property as described on the duplicate, and shall note thereon, in a marginal column, the several reasons assigned by such Treasurer why such taxes or other charges could not be collected, which list shall be denominated the delinquent list, and which shall be signed and sworn to by the Treasurer before said Auditor; and said Auditor shall record the same in a book, to be provided for

Auditors' settlements with County Treasurers.



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that purpose, and transmit an abstract thereof to the Comptroller General; and, in making such list, the delinquencies in each district, city, village and town shall be stated separately, and, after deducting the amount of taxes, assessments and penalties so returned delinquent, and the collection fees allowed the Treasurer by law, said Treasurer shall be held liable for the balance of the taxes, assessments and penalties charged on the duplicate: *Provided, however,* That only the following causes shall be assigned by said Treasurer on said delinquent list for not collecting any tax, penalty or assessment, to wit:

Causes for non-collection of taxes.

1st. That sufficient personal property of the party charged therewith could not be found out of which to make the same.

2d. That property was found, but could not be sold for want of bidders; and,

3d. That such taxes, assessments or penalties were enjoined by a competent Court.

Time for receiving returns

SEC. 83. It shall be the duty of the County Auditor to receive the returns and make the assessments provided for in this Act within the times prescribed by law, and for this purpose the offices of the County Auditors shall be kept open to receive the returns of taxpayers from July first to August twentieth in each year.

County Auditors to appoint assistants to make assessments.

SEC. 84. That the various County Auditors are authorized to appoint a sufficient number of assistants to enable them to complete the said assessment within the time fixed by law; and to defray the expense of making said assessment, the said Auditors shall draw their warrants annually upon the County Treasurers for such sums as may be necessary, but not to exceed the following, to wit: The Auditor of Charleston County, two thousand dollars; the Auditors of Richland, Orangeburg, Edgefield, Beaufort, Barnwell, Colleton and Abbeville Counties, one thousand dollars; the Auditors of Aiken, Anderson, Chester, Darlington, Fairfield, Greenville, Marion, Sumter, Spartanburg and York Counties, eight hundred dollars; the Auditors of Georgetown, Kershaw, Laurens, Lexington, Newberry and Union Counties, seven hundred dollars; the Auditors of Chesterfield, Clarendon, Marlboro and Williamsburg Counties, six hundred dollars; the Auditors of Horry, Lancaster, Oconee and Pickens Counties, five hundred dollars each. And the Treasurers of each of the above Counties shall pay to his County Auditor, or his order, the sum specified in the Auditor's warrant from the first collection of County funds of that fiscal year.

Amounts allowed Auditors for making assessments

Taxes:—when payable.

SEC. 85. All taxes, except as herein excepted, shall be payable annually on or before the fifteenth of January after their assessment, and the several County Treasurers shall collect the same in the manner required by law, and give the receipts therefor to the

several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes may be payable.

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SEC. 86. The County Treasurer shall keep his office open for the receipt of taxes from November twentieth to March twentieth.

SEC. 87. When the taxes and assessments charged against any party or property on the duplicate shall not be paid on or before the fifteenth of January after the assessment thereof, or when the remainder of such taxes and assessments shall not be paid on or before the fifteenth of February next thereafter, together with twenty per cent. penalty on such remaining unpaid, the County Treasurer shall proceed to collect the same, by distress or otherwise, as may at the time be prescribed by law, together with a penalty of five per cent. on the amount so delinquent, which penalty shall be for the use of the Treasurer as a compensation for making such collection.

Proceedings  
against delin-  
quents.

SEC. 88. When the taxes, assessments and penalties charged against any parcel or lot of real property shall not be paid on or before the fifteenth day of January in each year, or collected by distress or otherwise, as authorized by this Act, a penalty of twenty per cent. thereon shall be added by the County Auditor on the County duplicate; and if the said taxes and penalty shall not be paid on or before the twentieth day of February next thereafter, or collected by distress or otherwise, the penalty and said taxes shall be treated as the delinquent taxes on such real property, to be collected in the same manner that is or may be prescribed by law; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the second Monday in March of the current year, the delinquent taxes, assessments and penalties of the current year shall be due and collected by the sale of such real estate in the manner that is or may be required by law.

County Au-  
ditor to add  
penalty to un-  
paid taxes.

SEC. 89. The County Treasurer, immediately upon the receipt of the tax duplicate for the year from the County Auditor, shall cause a notice to be inserted once in two daily newspapers published at the County seat of his County, if two such papers be there published; if not, then in one such paper; and if no daily paper be published at such County seat, then in two weekly papers published at said County seat; but if two such weekly newspapers be not published, then in one such paper; and if no paper is published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the total rate per centum of levies for State purposes, and the total rate per centum for all other purposes, on the duplicate of that year; and if any special

County Treas-  
urers to pub-  
lish rate per  
centum of tax-  
ation.

A. D. 1874. levies have been made on the property of a school or other district, not affecting an entire County, the total rate of levies in such district shall also be stated in such notice.

SEC. 90. All personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments; and any time after any taxes or assessments shall become due, according to law, the County Treasurer, by himself or deputy, may distrain sufficient personal property of the party against whom such taxes or assessments are charged, if the same can be found in his County, to pay the taxes or assessments so due, with any penalty charged or chargeable thereon, and the costs that may accrue, and shall immediately advertise the same in three of the most public places in the town or ward or district in which such property shall be distrained, stating the time and place in such town, ward or district when and where such property will be sold; and if the taxes, assessments and penalties for which such property was distrained, together with the costs of the proceeding, shall not be paid before the day appointed for such sale, (which shall not be less than five nor more than ten days after posting up such notices of sale,) such Treasurer, or his deputy, shall proceed, at the time and place mentioned in said notices, to sell such property, or so much thereof as may be necessary, at public vendue, to the highest bidder; and if such property, or a sufficient amount thereof, shall not be sold at the time and place aforesaid, such Treasurer shall retain the same in his possession, and advertise and offer the same for sale, in manner aforesaid, from time to time, until the same shall be sold.

Sales of property on which taxes have been paid void.

SEC. 91. If any taxes charged on any real estate be regularly paid, and such real estate be erroneously returned delinquent, and sold for such taxes, the sale shall be totally void; or if any taxes shall be illegally assessed and collected, when the same shall become known to the County Auditor, he shall, on demand of the party interested, submit the matter to the Comptroller General; and if the Comptroller General approve thereof, in writing, the amount paid by the purchaser at such void sale, or the amount so illegally collected, shall be repaid to the party paying the same, out of the County treasury, on the order of the County Auditor; and so much of said taxes as shall have been paid into the State Treasury shall be refunded to the County treasury, and the County Auditor shall retain the same in his next annual settlement and charge the State therewith.

Persons erroneously or illegally assessed.

SEC. 92. Whenever any person or persons charged with taxes upon the books of any County Treasurer in this State shall state, in writing, to said Treasurer that he or they have been erroneously



or illegally charged with the same, said County Treasurer shall submit to the County Auditor a full statement of the facts in the case, which statement shall be forwarded to the Comptroller General, with such additional information relating thereto as the said County Auditor may be able to give; and said County Treasurer shall not be required to proceed against the party or parties so claiming to have been erroneously or illegally charged with taxes, by distress or otherwise, until the Comptroller General shall, in writing, direct him so to do.

SEC. 93. That in all cases where the penalty for non-payment of taxes has attached to property held by assignees in bankruptcy, and which could not, or cannot, be sold before the time at which taxes become due; and in all cases where sales of property, for the settlement of estates, ordered by any Court in this State, have not been, and cannot, for want of time, be made in season for the payment of taxes due thereon, the Comptroller General, upon proper evidence that the taxes due upon such property have not been, and cannot be, paid until a sale of said property is made, may remit the penalty which by law attaches for non-payment of taxes.

A. D. 1871.

Property held  
by assignees in  
bankruptcy.

SEC. 94. The Treasurer shall be allowed the same fees and costs for making distress and sale of real property for the payment of taxes as are, or may be, allowed to Sheriffs for making levy and sale of real property. The County Treasurer shall be allowed the following fees for making distress and sale of personal property: For execution, fifty cents; entry of execution in execution book, fifty cents; levy, fifty cents; advertising, one dollar; traveling fees, five cents per mile one way, to be computed from the seat of justice of the County to the place of making distress; other expenses at the actual costs. The following shall be the commissions of the County Treasurers: Each County Treasurer shall receive the commissions heretofore provided by law for tax collectors: *Provided*, The same shall not exceed twenty-five hundred dollars per annum, except in the County of Charleston, where the commissions of the County Treasurer shall not exceed three thousand dollars per annum.

County Treasurers' fees  
and costs.

SEC. 95. Each County Treasurer shall, on or before the first Tuesday of June of each year, settle with the Auditor of his County for all taxes, assessments and penalties collected by him on the duplicate of the preceding year, and ascertain the amount with which he shall stand charged on account of such taxes, assessments and penalties; and he shall furnish said Auditor the names of all parties against whom taxes, assessments or penalties are charged on said duplicate from whom he has been unable to collect such taxes, assessments or penalties, and the amounts uncollected; and when such Treasurer has made a list thereof, he shall swear to and

County Treasurers' settle-  
ment with Au-  
ditor.



A. D. 1874.

sign the same before said Auditor, assigning only such reasons for non-collection as are mentioned in the eighty-second Section of this Act, (and only such amounts shall be inserted in said list as remain uncollected on account of some one of the causes mentioned in said eighty-second Section); and, after deducting his fees and the amount included in said delinquent list, he shall stand charged with the remainder of the taxes, assessments and penalties charged on said duplicate; but if, in making such settlement, the County Treasurer shall stand charged with any tax, assessment or penalty which, in fact, was not paid prior thereto, he may, at any time while remaining in office, collect the same by distress and sale of property as in other cases of delinquent taxes, or by action in his own name, as for money paid for the use of the party or parties charged with, or bound to pay, said tax, penalty or assessment; and after going out of office he may maintain an action in his own name, as aforesaid, for the collection of such tax, penalty or assessment.

County Treasurers, when to forward to State Treasurer all moneys for the State.

When to report to County Commissioners amount of County funds collected.

SEC. 96. Every County Treasurer shall, on the first and fifteenth days of each month, forward to the State Treasurer all the moneys collected by him for or on account of the State taxes, specifying for and on account of what fund the same was collected, for which duplicate receipts shall be returned to them by the State Treasurer; of said receipts, one shall be retained by the County Treasurer and one shall be forwarded by him to the Comptroller General. The County Treasurer shall, also, on the first and fifteenth days of each month, notify the Board of County Commissioners the amount of funds collected for and on account of their respective Counties and the character of such funds; and on the sixteenth of each month shall also report to the Comptroller General, in such manner as the Comptroller General shall direct, a full and complete statement of the State and County poll tax collected during the previous months or month, which report shall exhibit the total collection made during the fiscal year, the amount disbursed and cash on hand for or on account of any levy or tax collected by him; which report shall be denominated "the County Treasurer's monthly report."

Manner of collecting delinquent chattel taxes.

SEC. 97. If any chattel tax shall be unpaid at the time fixed for the payment thereof by this Act, or returned delinquent, as authorized by this Act, the County Treasurer may not only distrain property for the payment thereof, but may recover the same, with the penalties thereon, by action at law, proceedings in attachment, or other means authorized by law to be used by private individuals in the collection of debts, which action or other proceedings shall be prosecuted in the name of such Treasurer; and if he shall die

or go out of office before the termination of such action or proceeding, or the final collection of the money, or any judgment or order therein, his successor or successors may, from time to time, be substituted as plaintiff therein.

A. D. 1874.

SEC. 98. If, after the return of any chattel tax by any County Treasurer as delinquent, the County Treasurer shall know or be informed that the party against whom the same is charged resides in some other County in this State, or has property or debts due him therein, it shall be his duty to make out and forward to the Treasurer of such other County a certified statement of the name of the party against whom such taxes are charged, of the value of the property on which such taxes were levied, the amount of the taxes and penalties assessed thereon, and that the same are delinquent, to the aggregate of which taxes and penalties he shall add twenty-five per cent. as collection fees, upon the receipt of which certificate it shall be the duty of the Treasurer of such other County to collect such delinquent taxes and penalties, with the twenty-five per cent. collection fees as aforesaid, for which purpose he shall have all the rights, powers and remedies conferred upon the Treasurer of the County in which such taxes were assessed, and be allowed the same fees for distraint and sale of property as if said taxes had been levied in his own County, and, upon collection made, may retain one-half of said twenty-five per cent. collection fees, and shall transmit the balance collected by him to the Treasurer of the County from whom he received such certified statement by mail. But if the Treasurer to whom any such statement is sent cannot collect the amount therein named, or any part thereof, he shall return the same, so endorsed, with reasons for such non-collection.

Proceedings  
against non-  
residents for  
delinquent  
taxes.

SEC. 99. On the 16th of February of each year the County Treasurer shall furnish the County Auditor with a list of the names of such taxpayers on his duplicate as have failed to pay the tax and penalties charged against said taxpayers on account of any real property, said property to contain the number of lots and acres of land, with buildings thereon, with the State and County tax in detail and aggregate, which list shall be denominated the list of delinquent lands. And all real property returned delinquent by the County Treasurer, as provided for in this Act, shall be offered for sale on the second Monday in March next after the same shall be thus returned, to satisfy taxes, assessments and penalties thereon: *Provided*, That at all sales of lands for taxes, only the right, title and interest of the one in whose name the land has been listed and assessed shall be sold, and the purchaser shall take the same subject to all encumbrances thereon at the time of sale: *Provided, however*,

Delinquent list

A. D. 1874. That the purchaser at such tax sale shall be entitled to the possession of the land sold until the first day of December next after the first day of January next after the day of sale.

Delinquent  
lands to be  
published by  
County Audi-  
tor.

Form of  
notice.

SEC. 100. Each County Auditor in this State shall, annually, cause the list of delinquent lands in the County to be published weekly for two weeks, between the 16th of February and the first Monday in March following, in one newspaper, and no more, published in his County; and if no paper be published in said County then in some newspaper having the most general circulation in said County, to which list there shall be attached a notice in the following form, to wit: "Notice is hereby given that the whole of the several parcels, lots and parts of lots of real estate described in the preceding list, or so much thereof as will be necessary to pay the taxes, penalties and assessments charged thereon, will be sold by Treasurer of \_\_\_\_\_ County, South Carolina, at his office in said County, on the second Monday of March, A. D. \_\_\_\_\_, unless said taxes, assessments and penalties be paid before that time; and such sale will be continued, from day to day until all of said parcels, lots and parts of lots of real estate shall be sold or offered for sale.

A. D.

Auditor of

County."

And said Auditor shall insert, at the foot of the record of said delinquent list, a copy of said notice, and certify to the correctness thereof, in what paper the same was published, when, and how long, and sign the same officially.

Sale of real  
property.

SEC. 101. The County Treasurer, or his deputy, shall attend at his office on the second Monday in March, and then and there, after the hour of 10 o'clock in the morning, offer for sale, at public auction, each tract, parcel or lot of real estate described in the advertisement aforesaid on which the taxes, assessments and penalties charged thereon shall not have been paid; and the person then and there offering to pay the taxes, assessments and penalties charged thereon, for the least quantity thereof, shall be the purchaser; and the Treasurer shall continue such sale from day to day until each tract, parcel or lot of real estate described in said advertisement upon which the taxes, assessments and penalties shall not have been paid shall be sold or offered for sale: *Provided*, That the sale thus made shall be denominated the delinquent land sale: *Provided*, That the time occupied in conducting above delinquent land sale shall not extend beyond the Friday following the second Monday in March: *Provided, further*, That the charges for advertising by the County Auditor shall not exceed two dollars.

Provisos.

SEC. 102. If the party purchasing any part of real estate at the



sale mentioned in the preceding Section shall fail to pay the Treasurer immediately the amount of taxes, assessments and penalties charged thereon, the Treasurer shall immediately offer the same again for sale, as if no sale had been made; and the purchaser or purchasers so failing to make payment of said taxes, assessments and penalties shall forfeit and pay a penalty of 50 per cent. on the amount thereof, which shall immediately be charged on the duplicate of the County, by the County Auditor, against such purchaser or purchasers, and collected as taxes, and with like penalties for delinquency; and, when collected, one-half thereof shall be retained by the County treasury and the other half paid to the County Auditor.

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Penalty for failure on part of purchaser to make payment.

SEC. 103. The County Auditor, or his deputy, shall attend all sales of delinquent real estate made by the Treasurer of his County, and shall make a record of such in a substantial book, therein describing the several parcels offered for sale, as described in the advertisement aforesaid, and stating how much of each parcel was sold, and to whom sold; and if any parcel was offered for sale and not sold for want of bidders, he shall so enter it on record; and the County Auditor shall make out and certify a copy of said record, and forward the same to the Comptroller General, by the County Treasurer, at the time said Treasurer makes his annual settlement with the Comptroller General next after such sale.

County Auditors to make record of sales and forward certified copy to Comptroller General.

SEC. 104. All moneys received by the County Treasurer at any delinquent land sales shall be distributed by the County Auditor to the several funds for which they were respectively levied, after deducting the expenses of the advertisement aforesaid, which in all cases shall be paid to the County Auditor, and the State's proportion paid into the State Treasury by the County Treasurer at his next annual settlement with the Comptroller General after such sale.

Distribution of proceeds of sale.

SEC. 105. If the County Auditor, by inadvertence or mistake, or any other cause, shall have heretofore omitted, or shall hereafter omit, to publish the delinquent list of his County, or any portion thereof, it shall be his duty, unless all taxes, assessments and penalties charged therein shall have been paid prior to the next June settlement therewith of the County Treasurer, to charge the several parcels of real estate described in said list with said taxes, assessments and penalties with the taxes, assessments and penalties of the year next succeeding such omission, and record, certify and publish the same as part of the delinquent list of such succeeding year, according to the provisions of this Act.

Omission to publish.

SEC. 106. Upon the payment of the proper amount into the County treasury, and fifty cents to the County Auditor for the



A. D. 1874.

Certificates of purchase of real estate to be given by County Auditors.

certificate, and ten cents for the transfer of each parcel of real estate purchased at delinquent land sale, the County Auditor shall give to each purchaser at such sale a certificate of purchase, in which he shall describe such parcel as the same was described in the delinquent list, and state when the same was sold, and for what amount; and if only a part of any parcel advertised was sold, he shall specify the quantity sold, and authorize a surveyor, at the request of the purchaser, his heirs or assigns, to lay off, by metes and bounds, as near as may be, in a square form, at the most Northwesterly corner of any tract or lot of land described in said certificate, the quantity so sold; and if the sale be made from any city, village or town lot, or any part thereof, the surveyor shall be directed to so lay off the quantity sold that the same shall extend from the principal street or alley forming the most convenient front to said lot to the rear of the lot, and to bound the same by lines as nearly parallel with the outlines of said lot as practicable.

Deeds.

SEC. 107. No deed shall be made for any real estate sold at delinquent land sale until the expiration of 91 days from and after such sale. Nor shall any survey thereof required by any certificate of purchase be made until the expiration of the same period of time.

Certificates of purchase.

SEC. 108. The certificate of purchase at any delinquent tax sale shall be assignable in law, by endorsement thereon, and an assignment thereof shall vest in the assignee and his legal representatives all the right and title of the original purchaser.

Redemption of real estate sold.

SEC. 109. All real estate which has been, or may hereafter be, sold for taxes, assessments and penalties at delinquent sale, under the laws of this State, may be redeemed at any time within ninety days from and after such sale, and all such real estate belonging, at the time of such sale, to minors, insane persons, married women, or persons in confinement, may be redeemed at any time within ninety days from and after the expiration of such disability.

Mode of redemption.

SEC. 110. Any person or persons desiring to redeem any real estate sold at delinquent land sale, under any law of this State, may, within thirty days after the sale thereof, or within thirty days after the expiration of the disabilities named in the preceding Section, deposit with the County Treasurer of the County in which such sale was made, upon the certificate of the County Auditor, a sum equal to the amount for which such real estate was sold, with all legal charges paid by the purchaser at such sale, and subsequent taxes paid by such purchaser, his heirs or assigns, and twenty-five per cent. penalty thereon, and the value of growing crops, if any there are, and two dollars to pay the expenses of advertising, as hereinafter provided; and any person desiring to redeem any such

real estate, after the expiration of twenty days and within ninety days after any such sale, or the removal of any of the disabilities aforesaid, may deposit with the County Treasurer aforesaid, on the certificate of the County Auditor, an amount of money equal to that for which such real estate was sold, and taxes subsequently paid thereon by the purchaser and those claiming under him the legal charges as aforesaid, and fifty per cent. penalty thereon, and two dollars to pay the expenses of advertising, as aforesaid; also, paying the Auditor fifty cents for his services in attending to such redemption in either case.

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SEC. 111. All applications for the redemption of real estate sold at delinquent tax sale as aforesaid shall be made to the Auditor of the County in which such real estate shall have been sold by a party interested in the title to said estate; and, upon such application, the Auditor shall give to such party the certificate mentioned in the preceding Section, describing the real estate sought to be redeemed and specifying the sum necessary for such redemption, and adding thereto the two dollars for expense of publishing the notice of such redemption, upon the presentation of which to the County Treasurer of the County and payment of the sums mentioned therein into the County treasury the Treasurer shall give to the applicant duplicate receipts therefor, describing the property as described in said certificate of the Auditor; and, upon the delivery of one of such receipts to the County Auditor, said Auditor shall immediately cancel the sale and transfer the property to the party redeeming the same; and such payment and cancellation shall operate as a release of all the rights of the purchaser at such sale, his heirs and assigns.

Applications  
for redemption

SEC. 112. The County Auditor, immediately upon the redemption of any real estate as aforesaid, shall publish in some newspaper of general circulation in his County, for two consecutive weeks, a notice, addressed to the purchaser and his assigns, that the money has been deposited in the County treasury of his County for the redemption of such real estate, describing the same and the time when sold for taxes; for the publication of which notice said Auditor shall pay the sum of two dollars out of the County treasury.

County Auditor to publish notice of redemption.

SEC. 113. Any tenant in common may redeem his individual share in any real estate sold at delinquent land sale in the manner provided for in the preceding Sections, upon payment into the County treasury of his equal proportion of the sum requisite for redemption of the whole and two dollars for the publication of the notice of such redemption.

Tenants in common may redeem.

SEC. 114. Upon the demand of the purchaser, or his legal representative, of any real estate redeemed as aforesaid, and the surrender of the certificate of purchase to the County Auditor, and pay-

Canceling certificates.

A. D. 1874. ment of fifty cents to said Auditor for his services in attending to such redemption, the Auditor shall cancel said certificate of purchase, file the same in his office and give to such purchaser, or his legal representatives, an order on the County Treasurer for the amount of money deposited in the County treasury in manner aforesaid for the redemption of the real estate described in such certificate of purchase.

Redemption  
before deed is  
made.

SEC. 15. Any person interested may, at any time before the deed is made by the County Auditor, with the consent of the purchaser of any parcel of real estate sold at delinquent land sale and the delivery and cancellation of the certificate of purchase, redeem such real estate; and in such case, and also upon deposit of money in the County treasury as aforesaid for the redemption of any real estate sold at such sale, the County Auditor shall note such redemption or deposit, and by whom and when made, on the record of delinquent land sales and sign his name officially thereto, for doing which any party redeeming by consent as aforesaid shall pay said Auditor fifty cents as his fees.

Auditors to  
make deeds to  
purchasers.

SEC. 116. After the lapse of ninety-one days from the time of any delinquent land sale, if any purchaser of any real estate at such sale, or his legal representative, shall present to the Auditor of the County in which such sale was made a certificate of purchase of the whole of any tract or lot of real estate sold at such sale, or, in case of the sale of a part of a tract or lot offered at such sale, present to said Auditor the certificate of sale, and the survey and plat of the quantity purchased, made by the surveyor, as required by this Act, and the taxes and assessments levied on the real estate described in such certificate, or certificate and plat, shall have been so far paid as that the same is not again delinquent, said Auditor shall (upon payment to him of two dollars as his compensation therefor) make and deliver to such purchaser, his heirs or assigns, as the case may be, a deed of conveyance for the real estate so sold as aforesaid, which deed of conveyance shall be in the following form:

Two or more  
tracts in one  
deed.

*Provided*, That where the whole of two or more several tracts or lots, or parts of tracts or lots, of real estate have been, or shall be, sold to the same party, or the certificates of purchase of different tracts or lots, or parts of tracts or lots, have been, or shall be, legally acquired by one person, and the party thus purchasing or holding certificates, as aforesaid, shall demand one deed for the whole of the real estate so purchased, the County Auditor shall include the whole in one deed, if all the requirements of this Act have been complied with, so that the party demanding such deed would be entitled to separate deeds for the said several parcels of real estate; and if the whole of any tract or lot of real estate has been acquired by one



party by different purchases, or by assignments of certificates of purchase, the survey and plat aforesaid shall be dispensed with, and the deed made for the whole; and the deed so made by the County Auditor for any real estate sold at delinquent land sale shall be *prima facie* evidence of a good title in the grantee, his heirs and assigns, to the real estate therein described.

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Deed of Auditor shall be evidence of title.

SEC. 117. Each tract or lot of land, or part thereof, or city, village or town lot, or part thereof, which shall be offered for sale by the County Treasurer at any delinquent land sale, as provided for in this Act, and not sold for want of bidders, shall thereby become forfeited to the State of South Carolina, and thenceforth all the right, title and interest of the former owner therein shall be vested in the State of South Carolina, and shall be designated by the County Auditor on the list of delinquent lands as "forfeited," and transferred to the State of South Carolina, and charged with taxes and penalties, as if the same was purchased by a private individual, and returned by the Treasurer as delinquent until sold as forfeited real estate: *Provided, however,* That the original owners shall have the privilege at any time within ninety-one days to redeem the same upon payment of all costs and charges and taxes that may attach subsequent to such forfeiture, together with all previous taxes, costs, charges and penalties.

Lands forfeited to the State.

Proviso.

SEC. 118. The County Auditor shall enter, in a substantial book, to be provided by him for that purpose, at the expense of the County, and denominated the "Forfeited Land Record," a list of all real estate forfeited to the State according to the provisions of this Act, certify to the correctness thereof, and sign the same officially; a copy of which list he shall certify and transmit to the Comptroller General, by the County Treasurer, at the time the Treasurer makes his annual settlement with the Comptroller General next after the forfeiture or purchase of such real estate, and the Comptroller General shall record the same in his office as a credit to the County Treasurer.

Forfeited land record to be kept by Auditor.

Copy transmitted to Comptroller General.

SEC. 119. The County Auditor of any County in which any real estate shall hereafter be sold at delinquent land sale shall make deeds therefor, though the real estate may have been, or shall hereafter be, set off into another County subsequent to such sale, and such deed shall have the same effect as if such real estate had remained in the County in which it was sold.

Forfeited land deeds.

SEC. 120. All real estate sold at delinquent land sale under the provisions of this Act shall, immediately upon the certificate of purchase being given therefor, be transferred by the County Auditor on his book of real estate, as provided for in the eightieth Section of this Act, to the name of the purchaser.

Real estate sold transferred to purchaser.



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Sale not in-  
validated.

SEC. 121. The sale of any real estate at delinquent land sale shall not be held invalid on account of its having been charged on the duplicate in any other name than that of the rightful owner.

Certificates  
lost.

SEC. 122. If any certificate given at any sale of delinquent lands shall be lost or destroyed, upon satisfactory proof thereof to the proper County Auditor, he shall make to the party entitled thereto a deed for the real estate so sold, precisely as if such certificate of purchase had not been lost or destroyed.

Minute of  
deeds entered  
in record of  
delinquent  
land sales.

SEC. 123. The County Auditor shall enter on his records of delinquent land sales a minute of all deeds by him made in pursuance of any sales of real estate therein recorded, naming the party in whose name the same stood charged on the duplicate at the time of the sale, the date of the sale and name of the purchaser, a brief description of the real estate, the quantity sold, the amount for which the same was sold, the date of the deed, and the name of the grantee therein; also, a minute of all redemptions of any real estate so sold before any deed made therefor, with the date of redemption and the name of the party redeeming.

Rights of  
tenants in com-  
mon.

SEC. 124. The purchaser of any interest of any tenant in common in any real estate at any sale of delinquent lands shall, on obtaining a deed therefor from the County Auditor, hold the same with the other owners as a tenant in common, and be entitled to a partition of the estate so held in common, as other tenants in common.

New structures  
shall be listed.

SEC. 125. It shall be the duty of each owner of lands, and of any new structures thereon which shall not have been appraised for taxation, to list the same for taxation with the County Auditor of the County in which they may be situate on or before the twentieth day of August next after the same shall become subject to taxation.

Courts shall  
order taxes  
paid out of  
proceeds of  
real estate sold  
by order of  
same.

SEC. 126. When any real estate shall be sold under any writ, order or proceedings in any Court, the Court shall, on motion of any person interested in the real estate, or in the purchase or proceeds of the sale thereof, order all taxes, assessments and penalties charged thereon to be paid out of the proceeds of such sale as a lien prior to all others.

Taxes to be  
first liens.

SEC. 127. All taxes, assessments and penalties legally assessed shall be considered and held as a debt payable to the State by a party against whom the same shall be charged; and such taxes, assessments and penalties shall be a first lien against the estate of all deceased persons; against the estate of bankrupts and insolvents; against the assets and estates of all persons making assignments for the benefit of creditors; against all property held in trust; against all personal property held on chattel mortgage or in

pledge; against all personal property sold for the purpose of avoiding the payment of taxes; against all personal property held by parties in fraud of creditors; against all stocks of goods, implements, machinery and tools of merchants or manufacturers, as against purchasers of the whole of such stocks upon which the taxes have not been paid; and such taxes shall be first paid out of the assets of any estates of deceased persons, or held in trust as assignee or trustee, as aforesaid, or proceeds of any property held on execution or attachment; and the County Treasurer may proceed, by action at law, against the parties holding property otherwise, as above mentioned; or if he can obtain the possession of the property, he may distrain and sell the same precisely as if the same had not been sold, mortgaged or pledged, as above mentioned.

SEC. 128. If any action be prosecuted against the County Auditor or County Treasurer for performing, or attempting to perform, any duty enjoined upon them by the provisions of this Act, the result of which action will affect the interests of the County if decided in favor of the plaintiff in such action, such Auditor or Treasurer shall be allowed and paid out of the County treasury reasonable counsel fees and other expenses for defending such action and the amount of any damages and costs adjudged against him, which fees, expenses, damages and costs shall be apportioned ratably by the County Auditor among all the parties, except the State, interested in the revenue involved in said action; and if the State be interested in the revenue in said action, the County Auditor shall, immediately upon the commencement of said action, inform the Comptroller General of its commencement and of the alleged cause thereof, and the Comptroller General shall submit the same to the Attorney General, who shall defend said action for and on behalf of the State; and if only some local levy made by town or other municipal authorities be involved in such suit, such town or other municipal authority shall employ and pay counsel and all damages and costs recovered in such action; and the County Auditor or Treasurer, on both, if both be sued, may, by cross petition, answer or motion in Court, cause the town trustees or other local or municipal authorities interested in the revenue involved in the action to be made parties thereto, (if not already parties,) and the Court in which such action may be pending shall cause trustees, or other local or municipal authorities to be made parties to such action and render judgment for any damages and costs which may be found in favor of the plaintiff against said town trustees or other municipal or local authorities, and not against said Auditor or Treasurer.

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Suits against  
County officers.Local or municipal  
officers  
may be parties  
to suits against  
County officers.

SEC. 129. Each County Auditor shall answer, in writing, all

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County Audi-  
tors to give  
answers in  
writing to  
Comptrol-  
ler General.

inquiries propounded to him by the Comptroller General touching the condition and value of the real estate of his County and changes made in the valuations thereof in the different towns, villages, cities, wards and other districts; also, as to the valuations of the different classes of personal property for taxation, as compared with their market value, and in relation to any and all matters which the Comptroller General may deem of interest to the public, or of value to him in the discharge of his duties as Comptroller General.

Pay of State  
Board of  
Equalization.

SEC. 130. Each member of the State Board of Equalization, except the State officers on said Board, shall receive three dollars per day for each day he shall be employed in performing the duties enjoined upon him, and ten cents per mile for traveling to, and the same for returning from, the seat of government, to be computed by the most usually traveled route, and paid out of the State Treasury on the warrant of the Comptroller General.

Pay of County  
Boards of  
Equalization.

SEC. 131. Each member of the County Boards of Equalization shall receive for his services, for each day actually employed in performing the duties enjoined upon him, three dollars per day and five cents per mile each way as mileage for travel actually performed: *Provided*, That only one mileage shall be paid by said County Treasurer, to be paid out of the County treasury on the warrant of the County Auditor.

Penalty for  
neglect of  
duty.

SEC. 132. Every County Auditor, County Treasurer, County Commissioner, who shall, in any case, refuse or knowingly neglect to perform any duty enjoined on him, or who shall consent to, or connive at, any evasion or violation of any of the provisions of this Act, whereby anything required to be done by any of said provisions shall be hindered or prevented, or whereby any property required to be listed, or equalized, for taxation shall be unlawfully exempted, or the valuation thereof be entered on the return for taxation, or on the duplicate, at less than its true value, estimated according to the rules prescribed, or any tax, assessment or penalty shall not be collected, shall be deemed guilty of an offense, and, upon indictment and conviction thereof, shall be fined in any sum not exceeding two thousand dollars and imprisoned in the Penitentiary for a term not less than one nor more than three years.

County Audi-  
tors to admin-  
ister oaths.

SEC. 133. Each County Auditor is hereby authorized to administer all oaths necessary to be taken by any one in the assessment and return of property for taxation, or necessary in the performance of any duty enjoined upon County Auditors by law.

Compensation  
of County  
Auditors.

The following shall be the compensation of County Auditors:

Auditor of Charleston County, \$2,000;  
Auditor of Richland, Abbeville, Beaufort, Edgefield, Orangeburg, Barnwell, Colleton, Anderson, Aiken and Sumter, \$1,500;



Auditor of Chester, Darlington, Fairfield, Greenville, Marion, York and Newberry, \$1,250; A. D. 1871.

Auditor of Georgetown, Kershaw, Laurens, Lexington, Spartanburg, Union, Chesterfield, Clarendon, Oconee, Marlboro, Williamsburg, Horry, Lancaster and Pickens, each \$1,000; to be paid quarterly by warrants on the State Treasurer issued by the Comptroller General: *Provided*, That the Comptroller General shall not issue to any County Auditor any warrant for salary until said Auditor shall file in the office of the Comptroller General all abstracts and reports due from or by said Auditor. Proviso.

SEC. 134. The Governor is authorized, by and with the advice and consent of the Senate, to appoint County Auditors and County Treasurers, who shall hold their office for a term of two years, and no longer, unless reappointed, and to require such bonds from said officers as he may deem necessary: *Provided*, That the bond of the County Treasurer of Charleston County shall not be less than fifty thousand (50,000) dollars; the County Treasurers of Richland, Abbeville, Beaufort, each thirty thousand (30,000) dollars; and the bonds of the County Treasurers of each of the other Counties shall not be less than twenty thousand (20,000) dollars each. Governor to appoint officers.  
Proviso.

SEC. 135. That when any County Auditor or Treasurer shall, during a recess of the Senate, be shown, by evidence satisfactory to the Governor, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such case, and in no other, the Governor may suspend such officer, and designate some suitable person to perform, temporarily, the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate; and such person so designated shall take the oath and give the bond required by law to be taken and given by the person duly appointed to fill such office; and, in such case, it shall be the duty of the Governor, within ten days after the first day of such meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action, and the name of the person so designated to perform the duties of such office; and if the Senate shall concur in such suspension, and advise and consent to the removal of such officer, they shall so certify to the Governor, who may thereupon remove such officer, and, by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer so suspended shall forthwith resume the functions of his office, and the powers of the person so performing its duties in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension, Removal of officers by Governor.



A. D. 1874.

Proviso.

belong to the person so performing the duties thereof and not to the officer so suspended: *Provided, however,* That the Governor, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized, at any time before reporting such suspension to the Senate, as above provided, to revoke such suspension and reinstate such officer in the performance of the duties of his office.

Exercising  
duties of Au-  
ditor and  
Treasurer, con-  
trary to pro-  
visions of this  
Act, a misde-  
meanor.

SEC. 136. That if any person shall, contrary to the provisions of this Act, accept the office of County Auditor or Treasurer, or shall hold or exercise, or attempt to hold or exercise, any such office, or fail, when application is made to him by his successor, to turn over all the books, papers and property, of all kind whatsoever, pertaining to said office, he shall be deemed, and he is hereby declared to be, guilty of a misdemeanor, and, upon trial and conviction thereof, he shall be punished therefor by a fine not exceeding five thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the Court.

Comptroller  
General to ex-  
amine Audi-  
tors' and  
Treasurers'  
accounts.

SEC. 137. The Comptroller General of the State shall, as often as once a year, either in person or by some authorized agent of his office, examine all the books, papers and accounts pertaining to the office of the Auditors and Treasurers of the respective Counties of this State, with a view of protecting the interests of the State and rendering the said officers such aid or instruction as, in the discharge of their several duties, they may need to make their service the more efficient.

Treasurer of  
Charleston  
County to ap-  
point deputies.

Provisos.

SEC. 138. The Treasurer of Charleston County is authorized to appoint four deputies, whose duty it shall be to assist in the collection of taxes in said County. Said deputies shall each receive, as compensation for their services, the same commissions as are paid for the collection of taxes to the County Treasurer: *Provided,* That the total amount paid to each deputy in any current year shall not exceed the sum of five hundred dollars: *And provided, further,* That the duties of said deputies shall be confined to the collection of the simple taxes and shall not include the collection of taxes with penalties attached. Said deputies shall give such bond for the faithful performance of their duties as said County Treasurer shall require.

Failure of  
General As-  
sembly to levy  
taxes.

SEC. 139. That whenever the General Assembly shall fail to make the annual levy of taxes, or the collection of the same may be in any way delayed, it shall be the duty of the Comptroller General to notify each County Treasurer that the penalty for non-payment shall not attach until after the expiration of sixty days from the date of his public announcement of his readiness to collect the said taxes.

SEC. 140. The collection of taxes shall not be stayed or prevented by any injunction, writ or order issued by any Court or Judge thereof.

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Collection of taxes not to be stayed by injunction.

SEC. 141. In any action or proceeding against any County Treasurer in this State for the purpose of recovering any property or money alleged to have been erroneously or illegally assessed and collected as taxes, assessments or penalties, unless the party bringing such action or proceeding shall make it appear that a notice in writing of the claim on which such suit may be brought was given to said Treasurer in pursuance of the 92d Section of this Act, and unless it shall be made to appear that said Treasurer has proceeded contrary to the provisions of this Act, the amount recovered in such suit shall not exceed the value of the property or money aforesaid.

Proceedings against County Treasurers.

SEC. 142. It shall be the duty of the Attorney General of the State to defend any suit or proceeding against any County Treasurer, or other officer, who shall be sued for moneys collected, or property levied on or sold on account of any tax, when the Comptroller General shall have ordered such collector to proceed in the collection of any such tax, after notice as aforesaid, or suit brought; and any judgment against such Treasurer, or other officer, finally recovered shall be paid in the manner provided in Section one hundred and forty-one (141) of this Act.

Attorney General to defend suits against County Treasurers.

SEC. 143. That all past due and unpaid taxes, State or County, laid or levied under or by authority of the late Provisional Government, or under or by virtue of military orders, shall be paid and collected by the County Treasurer, to whom the late Tax Collectors shall turn over all moneys, books, tax executions, papers and other property now in their possession, in the same manner as is provided in this Act.

Past due and unpaid taxes.

SEC. 144. Fees for the actual collection of taxes only shall be allowed, and no costs or expenses shall be paid by the County or State on any executions issued, or hereafter to be issued, and returned *nulla bona*.

*Nulla bona* executions.

SEC. 145. The Attorney General shall, when requested so to do, give to the Comptroller General a written opinion upon any question submitted to him by said Comptroller General relative to the true construction of this Act or any provisions thereof.

Attorney General to furnish written opinions when requested.

SEC. 146. The County Commissioners of each County shall, on or before October thirty-first in each year, make a report to the Comptroller General, to be transmitted by him to the General Assembly, not only of the amount of taxes levied and collected in their respective Counties, but a detailed account of all their doings as required by law, and said report shall be made in such form as the Comptroller General of the State shall direct or prepare and

County Commissioners to report to Comptroller General amount of taxes levied and collected in their respective Counties.

A. D. 1874. forward to them for such purpose; and upon failure so to report, they shall be fined in a sum not less than two hundred nor more than five hundred dollars.

County Treasurers to attend at certain places for collection of taxes.

SEC. 147. It is hereby made the duty of each County Treasurer, or his deputy, in the collection of taxes, and for the convenience of each taxpayer, that he shall attend at such polling precinct as the County Board of Equalization may direct in his County, and at as many additional public places as in his judgment will be necessary for the collection of the same.

Conflicting Acts repealed.

Proviso.

SEC. 148. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed: *Provided*, That nothing herein contained shall be construed to repeal an Act entitled "An Act to provide for the redemption of forfeited lands upon certain conditions therein named," approved February 13, 1874.

Approved March 19, 1874.

NO. 632. AN ACT TO CHARTER THE CONGAREE MANUFACTURING COMPANY.

Corporators.

Corporate name.

General powers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John C. Seegers, Charles Minort, W. Beverly Nash, John Alexander, Charles Mahon, E. W. Seibels, B. F. Whittemore, Joseph Crews, R. D. Senn, L. D. Childs, T. C. Andrews, James E. Black, J. L. Neagle, J. B. Ezell, John B. Palmer, W. R. Jervey, John Lee, C. M. Wilder, Wm. Berry, Lawrence Cain, David Harris, S. A. Swails, H. E. Hayne, S. B. Thompson, J. D. Boston, F. Nix, J. Warley, W. H. Perry, A. O. Jones, N. B. Myers, William J. Etter, S. J. Lee, their associates and successors, be, and they are hereby declared, a body politic and corporate, under the name and style of the Congaree Manufacturing Company, and under that name and style shall be, and are hereby, made capable to have, purchase, hold, enjoy and retain to their successors lands, rents, tenements, goods, chattels and effects of whatsoever kind or quality soever, and the same to sell, alien or dispose of; to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended, in Courts of record or any other place whatsoever; to have perpetual succession, and to have and to exercise all the rights and privileges of similar corporations generally.



SEC. 2. That the said company is hereby authorized to construct a dam across the Congaree River, at such point below Geiger's Mill as it may deem most practicable for utilizing the water of said river for manufacturing purposes on either or both sides thereof. That the said dam shall be constructed and finished within three years from the passage of this Act; and if not so constructed and finished within three years from the passage of this Act, all rights, powers, franchises and privileges conferred by this Act shall cease and determine.

A. D. 1874.

May construct a dam across Congaree River.

When to be finished.

SEC. 3. That before commencing the construction of such dam, the said company shall cause surveys to be made showing the extent to which the lands of the riparian proprietors above such dam will be covered by the flowage caused by the dam, and shall make compensation to the owners of such lands so to be overflowed, and the like compensation to the owners for so much of the lands as may be occupied by the abutments or other portions of said dam, and by the water gates and basin or headway of any canal said company may dig immediately connected with said dam.

Survey.

Compensation to riparian proprietors.

SEC. 4. That if, from any cause, the amount of compensation to be paid cannot be ascertained by agreement between said company and the owners of such lands, the said company may proceed to have the same ascertained by a jury, in the same manner, and subject to the same regulations of procedure, as are now by law directed for ascertaining of compensation for the right of way over lands required for the construction of railroads by the provisions of an Act passed on the 22d day of September, Anno Domini 1868, entitled "An Act to declare the manner by which the lands or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement:" *Provided*, That the damages awarded shall have respect alone to the quantity and value of the lands so to be overflowed or occupied, and to the special damage which the owners of such lands may sustain by reason of the construction of such dam, water gates and basin, or headway of such canal upon their lands, and by reason of the flowage caused thereby upon such lands.

Compensation in cases of disagreement, how ascertainable.

Proviso.

SEC. 5. That if the flowage or elevation of water in the Congaree River caused by said dam shall extend to any bridges, mills, machinery or factories now in operation, or to any other rights or property, and shall, to any extent, interfere with such bridges, mills, machinery, factories or other rights or property, the said company, before constructing said dam, shall cause to be ascertained in like manner, and shall pay to the proprietors thereof, the compensation so to be ascertained for all damages that may be caused to such

Compensation for damages to bridges, mills, etc.



A. D. 1874.

bridges, mills, machinery, factories, rights or other property by such flowage or elevation of water.

Owners of Columbia Canal may participate in use of water elevated by said dam.

To contribute one-half cost of damages.

Entitled to use of water elevated on the Richland shore.

If owners of Columbia Canal agree to make contributions, entitled to participate in construction of dam.

In case of disagreement as to location, &c., matter to be referred to United States engineer.

Said companies to keep dam in repair.

In what case may be discharged from obligations to furnish Penitentiary.

SEC. 6. That when the Congaree Manufacturing Company shall notify the owners of the Columbia Canal that they are prepared to build said dam, and shall give proper evidence of their ability to build the same, the owners of the Columbia Canal shall be entitled to participate equally with the Congaree Manufacturing Company in the use of the water elevated by the construction of said dam:

*Provided*, They contribute one-half the amount required for its construction and repair, and become liable for and pay one-half of the amount required to satisfy the cost arising from damages caused by flowage occasioned by the erection of said dam: *Provided, further*, That the owners of the Columbia Canal, if they decline such contributions, shall at all times have the right to use the water elevated by the said dam along the Richland shore at the same rates as shall be charged for the use of the water elevated along the Lexington shore: *Provided, further*, That if the owners of the Columbia Canal shall make known to the said Congaree Manufacturing Company, in writing, their readiness to make, and do make, such contributions, the owners of the said canal shall have and be entitled to claim and participate with said company in the location and construction of said dam, and also to participate in all arrangements as to compensation for damages caused by its flowage; such location of said dam to be most equitable, as to amount of water and expense, and to equalize the utilization of the entire waters of the Congaree River: *Provided, further*, That any and all questions of location or construction which cannot be agreed upon by the two companies be referred to two engineers, selected from the corps of United States engineers, one by each; and in case of a failure to agree on their part, then the matter to be decided by the Engineer-in-Chief of the United States Army at Washington City, the expenses accruing therefrom to be borne equally by each company: *Provided, further*, That upon the completion of said dam, the said companies shall keep in repair the said dam, to wit: The Congaree Manufacturing Company the half next the Lexington shore, and the owners of the Columbia Canal the half next the Richland shore; and the said companies shall become responsible, each to the other, for any and all damages that may be caused to either party by neglect in promptly repairing its portion of said dam.

SEC. 7. That if the flowage or elevation of the water caused by said dam shall interfere with the furnishing to the State Penitentiary, in the manner in which the same is now furnished by the owners of the Columbia Canal, of the water power which, by their contract, the owners of said canal are required to supply to the

A. D. 1874.

Penitentiary, they shall thereby be discharged from their obligations to furnish such water power: *Provided*, That if the owners of the Columbia Canal shall be released from their present obligation to furnish the water power required at the State Penitentiary, as provided for in this Section, then if the owners of the Columbia Canal shall unite with the Congaree Manufacturing Company in building the said dam, the two companies shall, jointly, furnish water power, or its equivalent in steam power, for the said Penitentiary, free of cost to the State for all time, the maximum power to be furnished to the Penitentiary being a power equal to one hundred horse power; but if the Congaree Manufacturing Company shall build said dam independently of the owners of the Columbia Canal, then the said Congaree Manufacturing Company shall furnish the said water power, or its equivalent in steam power, to the State Penitentiary, in the same manner and to the same extent as is hereinbefore provided.

To furnish  
water power  
or equivalent  
in steam to  
Penitentiary.

SEC. 8. That this charter shall not go into effect until the amount of one hundred thousand dollars shall be subscribed to the capital stock of said company, and the one-fourth of said amount shall be actually paid in cash, which fact shall be certified by the President of the said company to the Secretary of State, with a list of the stockholders and the amount paid in by each. And the certificate herein required shall be sufficient evidence to the owners of the Columbia Canal of the ability of the Congaree Manufacturing Company to go on with the building of said dam: *Provided*, That the cost of building said dam and the probable damages to be caused by the flowage or elevation of water shall be, as far as practicable, ascertained before the owners of the Columbia Canal shall be required to join in the construction of said dam or to make contributions thereto: *And provided, further*, That in case the Congaree Manufacturing Company shall fail to give the evidence of their ability to go on with the building of the dam as required in Sections 6 and 8 of this Act, and shall not have actually expended the sum of twenty thousand dollars in its construction within two years from the passage of this Act, then in that case all the rights, powers and franchises herein granted to the Congaree Manufacturing Company shall revert to and become vested in the State.

When charter  
may go into  
effect

Certificates  
to be filed in  
Secretary of  
State's office.

Certificate—  
what to be  
evidence of.

Cost of building  
dam, &c.,  
to be first as-  
certained.

Rights herein  
conferred,  
when will re-  
vert to State.

Approved March 19, 1874.

A. D. 1874.

No. 633.

AN ACT TO AMEND CHAPTER XLV OF TITLE XI, PART I, OF  
THE GENERAL STATUTES, RELATING TO THE REPAIRS OF  
HIGHWAYS AND BRIDGES.

Chapter XLV  
of Title XI of  
General Stat-  
utes repealed.

SECTION 1. *Be it enacted* by the Senate and House of Repre-  
sentatives of the State of South Carolina, now met and sitting in  
General Assembly, and by the authority of the same, That Chapter  
XLV of Title XI, Part I, of the General Statutes be, and the  
same is hereby, repealed, and the following substituted as such  
Chapter :

Highway dis-  
tricts, how to  
be divided.

SEC. 2. That the County Commissioners of the several Counties  
of this State shall divide their respective Counties into highway  
districts, each district to contain not less than ten miles of public  
highways, nor more than thirty miles, to be convenient for repair-  
ing highways, and from time to time to alter the same.

Persons liable  
to road duty  
divisible into  
companies.

Duties of  
overseer.

SEC. 3. That for the purpose of keeping in repair highways, the  
County Commissioners of each County shall divide the persons  
liable to road duty in each highway district into convenient com-  
panies, and appoint an overseer of roads in each highway district,  
whose duty it shall be to have the persons before named warned  
out to work the said roads whenever he may deem it necessary to  
repair the same. He shall determine the number of days for work-  
ing at each warning: *Provided*, That not more than six days are  
required in a year. When the Commissioner having oversight  
of such sections gives orders to the overseer to work the road, and  
he neglect to do the same, he shall be deemed guilty of a mis-  
demeanor, and, upon conviction thereof in a Trial Justice's  
Court, shall be fined in a sum not less than five nor more than  
ten dollars.

Penalty for  
neglect of duty.

Persons liable  
to duty subject  
to direction of  
overseer.

Penalty for  
refusing to  
work.

SEC. 4. Any person liable to road duty, who shall have been  
duly warned two days before the day fixed in his notice for such  
working, stating the hour and place of working, shall be subject  
to the direction of the overseer in charge. If any person of the  
legal age refuse to work upon the highways and roads (having  
no justifiable excuse) according to the direction of the overseer,  
he shall be deemed guilty of a misdemeanor, and, upon con-  
viction thereof in a Trial Justice's Court, shall be fined in a sum  
not less than five dollars, nor more than ten dollars, or be im-  
prisoned in the County jail for a period of not less than five nor  
more than twenty days.

Duty of over-  
seer when  
highway is  
suddenly ob-  
structed.

SEC. 5. That on any extraordinary occasion, when any highway  
shall be suddenly obstructed by storm or otherwise, so as to require  
immediate labor to remove such obstruction, it shall be the duty of  
the overseer in whose district such obstruction occurs to proceed



forthwith to have such obstruction removed, and for this purpose shall summon to his aid a sufficient number of workmen to open and repair such highway. If any person shall, in such case, perform more days' labor than is required by law for the year, he shall be paid for any such overplus, at the rate of one dollar per day, by the County Commissioners, upon the certificate of the overseer showing that such overplus of labor was performed. If on any such extraordinary occasion the overseer shall, for the space of a day after application made to him for such purpose by any citizen residing in his district, neglect to call out a sufficient number of persons to speedily open and repair such highway, he shall forfeit and pay to the County Commissioners of his County, to be expended in the repair of highways, when and where necessary in his district, the sum of fifteen (15) dollars, unless the overseer shall show sufficient reason for such neglect, the said fifteen dollars to be collected by an action for debt, in the name of such County Commissioners, as plaintiffs, before any Trial Justice in said County. If on any such extraordinary occasion any person liable to work on highways, after being summoned for the purpose of removing such obstruction by the order of the overseer, shall neglect to turn out and assist in opening and repairing such highway, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any Trial Justice's Court, shall be fined three dollars per day, said fine to be collected and expended as hereinbefore provided in the matter of forfeitures of overseers.

A. D. 1874.

Persons working longer than six days entitled to pay.

Penalty in case overseer neglects his duty.

Penalty for refusing to obey warning of overseer.

SEC. 6. If any person receive bodily injury or damage in his person or property through a defect in the repair of a highway, causeway or bridge, he may recover, in an action against the County, the amount of damages fixed by the finding of a jury. If such defect in any road, causeway or bridge existed before such injury or damage occurred, such damages shall not be recovered by the person so injured, if his load exceeded the ordinary weight, of the County where such injury or damage occurred.

Damages or injuries received on account of defective highways. When plaintiff entitled to verdict.

SEC. 7. If, before the commencement of an action provided for in the foregoing Section, the County Commissioners tender to the plaintiff the amount which he might be entitled to recover, together with all legal costs, and the plaintiff refuse to accept the same, and does not recover upon subsequent trial a sum larger than the amount so tendered, the defendants shall recover costs and the plaintiff be entitled to the results of no verdict. If the Commissioners of any County neglect to have repaired any of the highways and bridges which by law are required to be kept in repair, they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not less than one hundred nor

When plaintiff not entitled to verdict.

Penalty for County Commissioners neglecting to put highways in repair.



A. D. 1874.

more than five hundred dollars, in the discretion of the Court. The County Commissioners shall authorize the overseer of any district to allow a man working one day, and also furnishing a horse, plough or cart, two days' labor; and one working himself for one day and furnishing a wagon and two horses, mules or oxen, three days' labor.

Persons liable  
to road duty.

SEC. 8. All able-bodied male persons between the ages of eighteen and forty-five years shall be liable annually to work on the public highways and roads not less than three nor more than six days, under the direction of the overseer of the district in which they may reside. In warning men to work upon the public roads, the overseer shall make out a list for the warner, requiring him to give notice to each person the kind of tool he shall use in working upon the highways and roads.

Overseer to  
make out lists.

How persons  
liable to  
duty may be  
relieved.

SEC. 9. That if any person, having been notified or warned as hereinbefore provided, shall pay to the County Treasurer of the County in which he may reside the sum of one dollar per day for each day's work required, the same shall be received in lieu of such labor, and shall be applied by the Commissioners of such County to the construction and repair of the highways in the districts to which they belong.

Special powers  
of overseers.

SEC. 10. The overseers in their respective districts shall have full power to cut down and make use of any timber, wood, earth or stone in or near the road, bridges or causeway, for the purpose of repairing the same, as to them shall seem necessary, making just compensation therefor, should the same be demanded; overseers shall not authorize the cutting down of any timber trees reserved by the owner in clearing his land or planted for the purpose of shade or ornament, either in the fields, around the springs or about the dwelling houses or appurtenances, nor the cutting down of any rail timber when other timber may be procured at or near the place, or take stone or earth from within the grounds of any person enclosed for cultivation, without the consent of the owner of the same. If any person or persons shall by any means hinder, forbid or oppose the said overseers, or either of them, from cutting down and making use of any timber, wood, stone or earth in any or near said roads or causeways, for slight repairs of bridges, for the purpose of making or repairing the same, or shall in any manner obstruct the passage of said road, causeways or bridges by gates, fences, ditches or any other obstructions, except where authorized by law, or shall hinder, forbid or threaten any traveler from traveling any public road, and every person for such offense shall be deemed guilty of a misdemeanor, and, upon conviction thereof in a Trial Justice's Court, shall be fined in a sum not less than five nor more than ten dollars.

SEC. 11. If any person liable to perform such labor shall remove from one County to another who had, prior to such removal, performed the whole or any part of it, or in any other way has paid the whole or any part of the amount aforesaid in lieu of such labor, and shall produce a certificate or receipt of the same from the overseer of the district from which such persons have removed, such certificate or receipt shall operate as a complete discharge for the amount therein specified. The residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in any County of this State.

A. D. 1871.

Persons performing duty in one County exempt from duty in another

SEC. 12. That the County Commissioners in this State are hereby authorized and empowered to have special supervision of the building of new bridges over the rivers and creeks of this State; also of extra and expensive repairs of old bridges. When such work is to be accomplished, the Commissioners shall give fifteen days' notice in the County paper and in writing duly posted in the neighborhood in which such work is to be performed, giving notice that the Commissioners of the section in which such work is to be performed will be at such a place on such a day and hour, with suitable specifications to let out such work to the lowest bidder, and to take from the successful bidder sufficient bond for the faithful performance of his duty. When the work is done it shall be inspected by the Commissioner letting it out, whose duty it shall be to report the result of his investigation to the full Board, who shall accept or reject the same accordingly as they may determine, whether or not the constructor has or has not complied with the terms of his contract. If any bridge over waters of this State which constitute a boundary line between Counties shall be necessary to be erected or repaired, it shall be the duty of the Commissioners of such Counties to cause the same to be erected or repaired in the manner aforesaid, each County bearing an equal share of the expense so incurred. And when any such bridge already exists, or shall hereafter be built, it shall be the duty of said Commissioners to divide the same, by measurement from the center; and each Board shall be responsible for the good condition of the half next adjoining the County in which they exercise the functions of office. And when it becomes necessary to build a new bridge, or to entirely replace an old one which has been carried away or destroyed, it shall be the duty of the Boards of the two Counties to do the same as aforesaid.

Duties of County Commissioners with respect to bridges.

SEC. 13. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 19, 1874.

A. D. 1874. AN ACT TO AMEND SECTION 1, CHAPTER VIII, TITLE II, PART I,  
 No. 634. OF THE GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA,  
 RELATING TO THE TIME OF HOLDING GENERAL ELECTIONS.

Elections—  
 when to be held  
 hereafter.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1, Chapter VIII, Title II, Part I, of the General Statutes of the State of South Carolina be, and the same is hereby, amended so as to read as follows, viz.: “The next general election in this State shall be held, pursuant to the provisions of amendment to Article II, Section 11, of the Constitution of the State of South Carolina, on the first Tuesday following the first Monday in November, 1874; and forever thereafter on the first Tuesday following the first Monday in November in every second year, said election to be conducted in the same manner as is or may hereafter be provided by law.”

SEC. 2. That all Acts or parts of Acts inconsistent with this Act, for the purposes of this Act, are hereby repealed.

Approved March 19, 1874.

No. 635. AN ACT FOR THE BETTER PROTECTION OF LAND OWNERS AND  
 PERSONS RENTING LAND TO OTHERS FOR AGRICULTURAL PUR-  
 POSES, AND TO AMEND ACTS RELATING THERETO.

When owners  
 of land may  
 have lien on  
 crop of tenant.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases where land is rented, either for a share of the crop or for a stipulated sum in money, or for so much cotton, corn or other product of the soil, the land so rented shall be deemed and taken to be an advance for agricultural purposes, and the land owner, upon reducing the contract of letting to writing and recording the same, as provided in Section fifty-five of Chapter one hundred and twenty of the Revised Statutes, shall have a lien on the crop which may be made during the year upon the land, in preference to all other liens existing or otherwise, to an amount not exceeding one-third of the entire crop so produced, to be applied to the satisfaction of the rent stipulated to be paid. In all such cases the landlord shall have all the rights accorded to persons advancing money and other supplies, as provided in Sections 55 and 56 of the same Chapter, to the extent of one-fourth of the crop, as above stated: *Provided*, That the

Extent of  
 such lien.

Landlords  
 entitled to cer-  
 tain rights.

Proviso.



provisions of this Act shall not apply to contracts made and recorded prior to the passage of this Act. A. D. 1874.

SEC. 2. That Section 2 of an Act entitled "An Act to amend an Act entitled 'An Act to secure advances for agricultural purposes,'" approved March 12, 1872, be, and the same is hereby, amended by striking out the words in lines five, six and seven, to wit: "Who pursue their trade or calling, not within the limits of any incorporated city, town or village within this State;" and strike out the word "blacksmiths," in line five, Section two; also, by striking out the word "ten," in the eighth line of Section two, and inserting in lieu thereof the word "twenty;" and inserting in said eighth line, between the words "mile" and "which," the words "and five dollars for each and every case of midwifery."

Section 2 amended so as to include all pursuing calling inside incorporated cities, &c.

"Blacksmiths" struck out.

"Twenty" inserted in lieu of "ten."

Fee in case of midwifery.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed, so far as they relate to or conflict with this Act.

Approved March 19, 1874.

## AN ACT TO AUTHORIZE THE COMPTROLLER GENERAL TO MAKE ABATEMENTS OF TAXES. No. 636.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any person or persons charged with taxes upon the books of any County Treasurer in this State shall declare, in writing, to said Treasurer that he or they have been erroneously or illegally charged with the same, the said County Treasurer shall submit to the County Auditor a full statement of the facts in the case, which statement shall be submitted to the inspection and recommendation of the County Board of Equalization of said County, and their endorsement thereon shall be forwarded to the Comptroller General, with such additional information thereto as the said County Auditor may give. And the Comptroller General is hereby authorized and directed to make such abatements in taxes in cases of erroneous or illegal assessments, before or after the collections upon the same shall have been made, as in his judgment the same may demand or the recommendation of the County Board of Equalization may justify.

How persons erroneously assessed may have taxes abated.

Comptroller General to make such abatement, if he deems the demand just.

SEC. 2. That in cases of abatement where parties have paid their taxes, the Comptroller General is hereby authorized and directed to give said parties orders on the Treasurer for the portion of

To give orders for refund of taxes paid.



A. D. 1874. tax abated, which shall be receivable for taxes if not paid in cash.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 19, 1874.

No. 637. AN ACT CONCERNING SUBMARINE SITES FOR LIGHTHOUSES AND OTHER AIDS TO NAVIGATION.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever the United States desire to acquire title to land belonging to the State and covered by the navigable waters of the United States, within the limits thereof, for the site of a lighthouse, beacon, or other aid to navigation, and application is made by a duly authorized agent of the United States, describing the site required for one of the purposes aforesaid, then the Governor of the State is authorized and empowered to convey the title to the United States, and to cede to the said United States jurisdiction over the same: *Provided*, No single tract shall contain more than ten (10) acres, and that the State shall retain concurrent jurisdiction so far that all process, civil or criminal, issuing under the authority of the State may be executed by the proper officers thereof upon any person or persons amenable to the same within the limits of land so ceded, in like manner and to like effect as if this Act had never been passed.

Approved March 19, 1874.

No. 638. AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO OPEN A PUBLIC ROAD FROM SUMMERVILLE TO STRAWBERRY DEPOT, IN SAID COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, directed and required, within three months after the passage of this Act, to open and lay out a public road in said County, from Summerville, by Harmon's Church, to some point on the State Road near Rhames' Old Mill, thence by Groomsville to Strawberry Depot, on the North-eastern Railroad.

Approved March 19, 1874.

## AN ACT TO RECHARTER SARRAT'S FERRY, ACROSS BROAD RIVER, IN SPARTANBURG COUNTY.

A. D. 1874.

No. 639.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sarrat's Ferry, across Broad River, in Spartanburg County, on the road leading from the town of Spartanburg in the direction of Shelbyville, North Carolina, be, and the same is hereby, rechartered for the term of twenty years from and after the passage of this Act, and is hereby vested in Obadiah Sarrat, his heirs and assigns, with the following rates of toll, to wit: For each wagon and four or more horses, fifty cents; for each wagon and two horses, or pleasure carriage and two horses, thirty cents; for each wagon, carriage, buggy or other vehicle, with one horse, twenty cents; for each person on horseback, ten cents; for each head of horses or cattle, five cents; for each head of hogs or sheep, two cents: *Provided*, That voters going to and returning from elections, children and teachers going to and returning from school, and clergymen, shall be exempt from paying toll.

Sarrat's Ferry rechartered.

In whom vested.

Rates of ferriage.

Approved March 19, 1874.

## AN ACT TO INCORPORATE THE GREENVILLE WORKING MEN'S SOCIETY. No. 640.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin L. Roberts, Thomas Lewis, Alexander Maxwell, Lewis Burkley, Sandy A. Johnson, Sanders Burns, William Thomas, E. Rainey Roberts, Samuel Thompson, Thomas Brier, Wilson Cook, Henderson Adams, Anderson Logan, Thomas Lake, Amos Tolbert, and such other persons as may now or hereafter shall be associated with them, are hereby made and declared a body politic and corporate, for the purpose of purchasing real estate, making loans of money secured by mortgage on real estate and personal property, and engaging in any laudable business for mutual benefit, by the name and style of the Greenville Working Men's Society.

Corporators.

Objects of corporation.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; and is hereby empowered to retain, possess and enjoy all

Powers and privileges.

A. D. 1874. *such property, real and personal, as it may possess or be entitled to, or which may be hereafter purchased or in any way acquired by it, and to sell, alien or transfer the same.*

SEC. 3. That this Act shall be deemed a public Act and continue in force for the term of twenty years.

Approved March 19, 1874.

No. 641. AN ACT TO INCORPORATE THE YOUNG MEN'S CHRISTIAN SOCIETY, OF CHESTER, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. R. Brown, Thomas Brown, A. L. Lewis, Meek Alexander, Thomas Attles, Alfred Fair, J. Gilmore, and their associates and successors, are hereby declared a body politic and corporate, by the name and style of the "Young Men's Christian Society, of Chester, S. C.," and by that name shall have succession of officers and members and a common seal.

SEC. 2. That said corporation shall be capable in law to purchase and hold real and personal property, not exceeding in value ten thousand dollars; and by its corporate name to sue and be sued, and to make such rules and by-laws as the members thereof may deem expedient and necessary for the promotion of Christian fellowship and benevolence, and for the order, good government and management thereof: *Provided*, The same are not repugnant to the laws of the land.

SEC. 3. This Act shall be deemed a public Act and continue in force until repealed.

Approved March 19, 1874.

No. 642. AN ACT TO CHARTER THE NEWBERRY AND AUGUSTA RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. M. Baxter, H. C. Corwin, W. G. Mayes, T. B. Jeter, A. H. Foster, William Munro, Joseph Walker, D. R. Duncan, Joseph Crews, J. H. Evins, G. Cannon, and their associates and successors, be, and



they are hereby, declared a body politic and corporate, under the name and style of the Newberry and Augusta Railroad Company.

A. D. 1874.

Corporate name.

SEC. 2. That the said company are authorized to construct a railway from such point on the Spartanburg and Union Railroad as said company may determine to the town of Newberry, and thence to the city of Augusta, in the State of Georgia, with the privilege of constructing a branch to Columbia, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company, and under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing shall be construed herein so as to exempt the said company from the provisions of Section 1, Chapter LXIII, of the General Statutes: *Provided, further*, That nothing herein contained shall be so construed as to exempt said company from taxation.

Line of road.

Invested with powers conferred by charter in Greenville and Columbia Railroad.

Proviso.

SEC. 3. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers, and may acquire, by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same as the interest of said company requires; and the stockholders of said company shall only be liable to the amount of the stock subscribed by said stockholders.

Subscriptions to capital stock

Liability of stockholders.

SEC. 4. That the several Counties, cities and towns interested in the construction of said road are hereby authorized to subscribe to the capital stock of the same, in manner and form, with the same privileges and restrictions as are conferred and imposed in an Act entitled "An Act to authorize the formation of and to incorporate the Laurens and Asheville Railroad."

How Counties may subscribe.

SEC. 5. That the capital stock of said company may be increased to the sum of two million dollars; and the said company shall have authority to organize and elect its officers and Directors as soon as the sum of fifty thousand dollars shall have been subscribed, and the said stock shall be divided into shares of fifty dollars each.

Increase of capital stock.

When may commence business.

SEC. 6. This Act shall be deemed a public Act and shall continue in force for twenty-one years: *Provided*, This road shall be commenced within three years and completed within seven years from the passage of this Act.



A. D. 1874. AN ACT TO INCORPORATE THE CHESTER BUILDING AND LOAN  
 No. 643. ASSOCIATION, OF CHESTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Giles  
 Corporators. J. Patterson, John J. McClure, Wm. H. Brawley, John L. Agurs, John Lee, J. W. Wilkes, George W. Melton, Wm. H. Stringfellow, John Lilley, J. H. Gunhouse, David Hemphill, J. L. Harris and James M. Brawley, together with such other persons as now are or hereafter may be associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and  
 Corporate name. stockholders, by the name and style of the Chester Building and Loan Association. The capital stock of said association may consist of one thousand shares; but as soon as two hundred shares are  
 Capital stock. subscribed thereto the said association may organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the said association may prescribe.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their  
 General powers. government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from  
 May acquire and convey real estate. time to time, on such terms, and under such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real  
 Investment of funds. and personal estate, and used in the purchase of real estate for the

benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations, as may, from time to time, be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances; and may sell, alien or otherwise dispose of the same as they may, from time to time, deem expedient.

A. D. 1874.

SEC. 5. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatever amount may be thus on hand to others than stockholders and members, for such time, and at such rates of interest, as may be established by virtue of such rules and by-laws as may be made by said corporation.

Unproductive funds may be loaned out.

SEC. 6. The said corporation shall have the right, out of its profits, to declare and pay semi-annual or annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Dividends.

SEC. 7. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however,* That in case the said corporation shall not have closed its operations and affairs as above provided for within a shorter period, then this Act shall not continue in force beyond ten years.

Division and distribution of assets.

SEC. 8. That this Act shall be deemed a public Act and be given and received in evidence without being specially pleaded.

Approved March 19, 1874.

AN ACT TO INCORPORATE THE CO-OPERATION SOCIETY OF No. 644.  
YORKVILLE, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. H. White, Nelson Davies, C. E. Butler, Allen Beatty, Edward Wheeler, Gilbert Dillard, Frank Edwards, and their associates and successors, be, and they are hereby, declared a body corporate and politic.

Corporators.

A. D. 1874. Corporate  
name. by the name and style of Co-operation Society of Yorkville, S. C.,  
Powers and  
privileges. for the promotion of charity and benevolence, and, as such, shall  
 have succession of officers and members, and have and use a com-  
 mon seal; and that they have power, by their corporate name and  
 style, to sue and be sued, to plead and be impleaded, and to make  
 their own by-laws, not inconsistent with the laws of the land, with  
 power to purchase and hold real and personal estate to the amount  
 of ten thousand dollars.

SEC. 2. That this Act shall be deemed and taken as a public  
 Act and shall remain of force for the term of twenty-one years.

Approved March 19, 1874.

No. 645. AN ACT TO INCORPORATE THE MOUNT CARMEL METHODIST  
 CHURCH, OF DRY CREEK, LANCASTER COUNTY.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Repre-  
Corporate  
name. sentatives of the State of South Carolina, now met and sitting in  
 General Assembly, and by the authority of the same, That the Rev.  
 J. C. Clinton, R. Allen, D. Thompson, Samuel Girard, J. Thomp-  
 son, and the officers and members of the Mount Carmel Methodist  
 Church, now existing at Dry Creek, Lancaster County, be, and  
 the same are hereby, incorporated and declared to be a body  
 corporate, by the name and style of the Mount Carmel Methodist  
 Church, of Dry Creek, Lancaster County, and by that name and  
 style shall have succession of officers and members, and shall have  
 a common seal.

Powers and  
privileges. SEC. 2. That the said corporation shall have power to purchase,  
 receive and hold any real or personal estate, not exceeding in value  
 the sum of ten thousand dollars, and to sell, convey and dispose of  
 the same; and by its corporate name may sue and be sued in any  
 Court of this State; and to make such rules and by-laws, not repug-  
 nant to law, as it may consider necessary and expedient, and as  
 shall, from time to time, be agreed upon by its members or by a  
 majority of them.

SEC. 3. That the said corporation shall be, and is hereby de-  
 clared to be, able to have, receive, retain and enjoy all such estate,  
 real or personal, that the said corporation is now possessed or  
 entitled to, or that has already been conveyed, given, devised or  
 bequeathed to said corporation, or to any person or persons for the  
 use of said corporation, by or in whatever name such conveyance,  
 release, devise or bequest may have been made.

SEC. 4. That this Act shall be deemed and held to be a public  
 Act and shall continue in force until repealed.



AN ACT TO REGULATE THE SALE OF INTOXICATING LIQUORS,  
AND TO ALTER AND AMEND THE LAW IN RELATION  
THERE TO.

A. D. 1874.

No. 646.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the provisions of Chapter eighty (LXXX) of Title fourteen, (XIV,) Part one, (I) of the General Statutes, relating to the granting of retail and tavern licenses, be, and the same are hereby declared to be, applicable solely and confined to the granting of such licenses inside of the incorporate limits of cities, towns and villages.

Provisions of chapter LXXX applicable only to licenses in incorporated limits of cities, &c.

SEC. 2. The proper municipal authorities of all incorporated cities, towns and villages shall have power to grant licenses to retail spirituous liquors inside the incorporate limits of such cities, towns and villages, in quantities less than one quart, to keepers of drinking saloons and eating houses, apart from taverns, and to fix the price of the same, which shall not be less than seventy-five dollars, the person to whom the same is granted being first recommended by six respectable taxpayers of his neighborhood, and entering into a bond in the sum of one thousand dollars, with three good sureties, for the keeping of an orderly house, and for the due observance of all laws relating to the retailing of spirituous liquors.

Licenses for sale of spirituous liquors inside of incorporated cities, and how obtained.

Cost of same.

On whose recommendation granted.

Bond.

SEC. 3. The proper municipal authorities of all incorporated cities, towns and villages shall have power to grant licenses for the retailing of wine, cider, brewed or malt liquors, within the incorporate limits of said cities, towns and villages, upon the payment of a license fee of not less than twenty-five dollars, the person to whom the said license is granted being first recommended by six respectable taxpayers of his neighborhood, and entering a bond in the sum of five hundred dollars, with two good sureties, for the keeping of an orderly house, and for the observance of all laws regulating the sale of such liquors, and that he will not sell any spirituous liquors or any admixture thereof.

Licenses for wines, cider, &c., how obtained.

Cost.

On whose recommendation

Bond.

SEC. 4. Any person intending to apply for a license to retail spirituous liquors in quantities less than one quart, outside of incorporate cities, towns and villages, shall file his petition with the Clerk of the Circuit Court of the County where he resides, fifteen days before the first or second session of said Court in each year, setting forth the locality and township where he proposes to retail such liquors, with a certificate of six respectable taxpayers of his neighborhood that he is a person of temperate habits and good moral character, and shall pay to said Clerk a fee of two dollars for his services in connection with the

Petition for sale of spirituous liquors, with whom filed.

Recommendation.

Clerk's fee.



A. D. 1874.  
 Notice of ap-  
 plication.

Petition to be  
 submitted to  
 grand jury.

Clerk to cer-  
 tify decision of  
 grand jury to  
 County Com-  
 missioners.

Bond.

Licenses for  
 sale of wines,  
 cider, &c.

Cost.

Bond.

Licenses to  
 be exposed to  
 public view.

Penalty for  
 selling without  
 license, &c.

same; and it shall be the duty of the said Clerk to place a notice on the court house door of such application, giving the name of such person, the place of his residence, and the names of the persons recommending him, and the petition and accompanying certificate shall be submitted to the grand jury of the County, at the first ensuing term of the Court, who shall, in their presentment, report whether or not the petitioner should receive a license, and the price at which the same shall be granted, (which price shall be uniform for all applicants,) and the presiding Judge of the Circuit, unless good cause be shown to the contrary, shall order the Clerk to certify the proceedings to the County Commissioners, who thereupon shall grant a license to the person recommended by the grand jury, upon the payment of the license fee fixed by them, which shall not, in any case, be less than fifty dollars; and the person to whom the same is granted shall enter into a recognizance, with at least three good sureties, in the sum of one thousand dollars, for the keeping of an orderly house, and for the due observance of all laws relating to the retailing of spirituous liquors.

SEC. 5. The County Commissioners of the several Counties of this State shall have power to grant licenses for the retailing of wine, cider, malt and brewed liquors, in places outside of incorporated cities, towns and villages, to any person of temperate habits and good moral character who may be recommended by four respectable citizens of his neighborhood, upon the payment of a license fee of twenty-five dollars, said person to enter into a recognizance in the sum of five hundred dollars, with two good sureties, that he will keep an orderly house, and that he will not sell spirituous liquors or any admixture thereof.

SEC. 6. All persons engaged in retailing liquors under licenses granted in accordance with this Act, or under tavern licenses granted under pre-existing laws, shall expose their licenses to public view in their chief place of making sales, and no such license shall authorize sales by any person neglecting this requirement; and any person selling or retailing intoxicating liquors without a license shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars, or imprisoned not less than one month or more than six months, or both; and any person who shall be convicted of retailing spirituous liquors, or any admixture thereof, while engaged in retailing under a license to sell wine, cider, malt or brewed liquors, shall suffer a like punishment, and shall, beside, forfeit his license. Any person who shall be convicted twice within two years for retailing without license shall

not be entitled to receive a license for two years next succeeding the date of the first conviction, and any license granted to such person shall be utterly without effect and shall afford no protection.

A. D. 1874.

SEC. 7. Willfully furnishing any intoxicating drink, by sale, gift or otherwise to any person of known intemperate habits, or to any person when drunk or intoxicated, or to a minor, or to any insane person, for use as a beverage, shall be held and deemed a misdemeanor, and upon conviction thereof, the offender shall be fined not less than ten dollars nor more than one hundred dollars, and imprisoned not less than ten days or more than thirty days; and it shall be lawful for any member of the family, or blood relation, or guardian of such intemperate person or minor, and for the committee of such insane person, or for any Trial Justice of the township where any or either of such persons reside or have their legal settlement, to give a notice in writing to any person or persons engaged in selling, or having intoxicating liquors, forbidding him or them, as the case may be, from furnishing such intemperate person, minor or insane person with intoxicating drinks or liquors; and if, within three months of the time of such notice, any person to whom the same is given shall furnish, or cause to be furnished, any intoxicating liquors to such intemperate person, minor or insane person, to be used as a beverage, he or they shall be held severally responsible for any injury to person or property which may occur in consequence of such furnishing, and any one aggrieved may recover damages against the person so furnishing by an action instituted in any Court of this State having jurisdiction of civil actions; and in case any wife shall give such notice, she shall be entitled to recover of the person furnishing intoxicating liquor to her husband, in an action in her own name, such damages as any Court or jury may award, for the maintenance of herself and family during the period when her husband, by reason of such furnishing, is incapable of providing for the proper support of her or them; and in any action brought in accordance with the provisions of this Section, the husband of the person furnishing intoxicating drinks or liquors shall be liable for the damages recovered to the extent of the penalty thereof, in case the same cannot be satisfied out of the property of the defendant in such action.

Selling liquor to known intemperate persons, minors and lunatics a misdemeanor.

How punished.

Notice forbidding sale to such persons.

Wife, giving such notice, may have action against seller.

SEC. 8. Any person who shall be found drunk or grossly intoxicated in any street, highway, public house or public place shall be fined, upon view of or upon proof made before any Mayor or other municipal officer or Trial Justice, not exceeding five dollars; and if the same is not paid, imprisoned not exceeding five days; and any person who shall sell intoxicating liquors to such person, to be drunk on the premises where sold, whereby the said person shall

Punishment for being grossly drunk in the street, &c.

A. D. 1874. become intoxicated, shall, besides his liability under Section (7) seven of this Act, be liable to pay to the wife, parent, child or guardian of the person so found intoxicated the sum of five dollars for every such offense, to be recovered in an action of debt before any Trial Justice having jurisdiction of the person of the defendant: *Provided*, That no suit shall be instituted after ten days from the commission of the offense mentioned in this Section.

Liability of seller on account of riot or breach of peace on his premises.

When suit may be commenced.

SEC. 9. Whenever any riot or other breach of the peace shall occur at or within any tavern, drinking saloon, or other place where intoxicating liquors are sold, the proprietor or keeper of such place shall be deemed and taken to be an aider and abettor in such riot or other breach of the peace, and shall be liable to be prosecuted and punished as such, unless such person can show that such riot or other breach of the peace was not caused by the persons engaged therein becoming intoxicated on said premises.

SEC. 10. It shall not be lawful for any person to sell, trade or barter any spirituous or malt liquors, cider or wine, on Sunday; and any person so doing shall be liable to a fine of not less than ten dollars or more than two hundred dollars, or imprisonment for not less than ten days or more than two months.

Sale of liquors on Sunday unlawful.

SEC. 11. The municipal authorities of incorporated cities, towns and villages, and the County Commissioners of Counties, shall have power to grant licenses for the selling of intoxicating liquors by the quart, upon the payment of a license fee of not less than fifty dollars; and any person to whom such license is granted who shall permit such intoxicating liquors to be drank on the premises where sold shall forfeit his license, and the same shall not be renewed within a year from the time of forfeiture. All of the provisions of Section (10) ten of this Act, forbidding the sale of liquors at certain times therein mentioned, shall be applicable to the sale of liquors as provided for in this Section, and like penalties shall be inflicted upon any person who, under licenses granted in accordance with this Section, shall make sales at the period therein prohibited: *Provided*, That no license shall be granted by the County Commissioners of any County to any person or persons recommended or applying for the same until the person or persons so recommended or applying shall have first paid the County Treasurer of the respective County the license fee herein authorized, and shall present the receipt of the Treasurer to the County Commissioners as the evidence of said payment, which license fee shall be placed in the County fund for County purposes.

Fee for quart license.

No license to be granted until after payment of license fee.

SEC. 12. It shall not be lawful for any apothecary, druggist or other persons to sell, trade or barter any bitters of which spirituous or malt liquors are an ingredient, or any other medicated liquors,



by the bottle or by the drink, to any person except upon the prescription of a regular physician, unless such apothecary, druggist or other person shall obtain a license to sell such liquors as provided in Section eleven (11) of this Act, the price of such license to be not less than fifty dollars: *Provided*, That upon obtaining such license such apothecary, druggist or other person shall be entitled to sell other liquors as in case of persons having licenses to sell by the quart. Any apothecary, druggist or other persons violating the provisions of this Section shall, upon conviction, be subject to the same penalties as are prescribed by law for persons selling spirituous liquors under like circumstances without a license.

A. D. 1874.

Druggist to sell liquors only upon prescription of regular physicians.

Proviso.

SEC. 13. It shall be the duty of the Court, Mayor or other municipal authorities of a city, town or village, or Trial Justice, before whom any fine may be recovered in accordance with the provisions of this Act, to award to the informer or prosecutor a reasonable share thereof for his time and trouble, but not in any case exceeding one-third, and the residue, as well as the proceeds of all forfeited bonds, shall be paid to the Trustees of the public schools of the school district wherein the parties convicted reside.

Informers entitled to one-half of fines recovered.

Residue applicable to school purposes.

SEC. 14. That all Acts or parts of Acts inconsistent with and repugnant to the provisions of this Act are, for the purposes of this Act, hereby repealed.

Approved March 19, 1874.

## JOINT RESOLUTIONS.

### JOINT RESOLUTION TO REQUIRE EDWARD I. CAIN, SHERIFF OF ORANGEBURG COUNTY, TO GIVE A NEW OFFICIAL BOND. No. 1.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward I. Cain, the Sheriff of Orangeburg County, be, and he is hereby, required to make and file with the County Commissioners of the said County of Orangeburg, within ten days after the passage of this Joint Resolution, a new official bond, with good and sufficient sureties, to be approved by them; and upon his failure, within the time above limited, to present to the said Board of County Commissioners a bond of which they shall approve, then, and in that event, the office of Sheriff of

Edward I. Cain, Sheriff of Orangeburg County, to give a new official bond.

County Commissioners to approve.



A. D. 1873.

Governor to  
order an elec-  
tion.

the said County be, and the same is hereby, declared to be vacated; and the said Board of County Commissioners shall notify His Excellency the Governor of the State of such failure, who shall at once order an election for the filling of said office; and the sureties on the official bond of said Sheriff shall, from the date of such notification, be, and they are hereby, relieved of all liability and responsibility on account thereof accruing subsequent thereto:

Proviso.

*Provided*, That nothing herein contained shall be construed to relieve said sureties from any liability on account of any acts or omissions on the part of said Sheriff prior to the time herein above stated.

Approved December 20, 1873.

## No. 2. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO LEVY A SPECIAL TAX.

County Com-  
missioners of  
Kershaw Coun-  
ty to levy a  
special tax to  
pay past in-  
debtedness.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw County be, and they are hereby, authorized and directed to levy a special tax of two (2) mills on the dollar on all the taxable property of said County for the fiscal year commencing November 1st, 1873, and continue the collection of the same each succeeding year until the sum of fifteen thousand dollars (\$15,000) shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said Kershaw County.

Persons hold-  
ing claims to  
file a list with  
County Com-  
missioners.

SEC. 2. That all persons holding claims against said County be, and they are hereby, required to file a list of such claims, with the amount and date thereof, in the office of the County Commissioners before payment thereof.

Approved December 20, 1873.

## No. 3. JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL TAX OF THREE (3) MILLS, TO BE LEVIED AT THE TIME OF THE GENERAL TAX.

County Com-  
missioners of  
Edgefield  
County to levy  
special tax.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield County be, and they are hereby,

authorized to levy and collect a special tax of three (3) mills on the dollar on all the taxable property of said County, for the year ending October 31, 1874, and continue the collection of the same each succeeding year until the past indebtedness of the said County is fully paid and discharged. A. D. 1874.

SEC. 2. That this Joint Resolution shall take effect immediately upon its passage. When to take effect.

Approved December 22, 1873.

JOINT RESOLUTION TO RELIEVE TARLETON MCGREW, OF ORANGEBURG COUNTY, FROM LEGAL DISABILITIES. No. 4.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Tarleton McGrew, a resident of Orangeburg County, be, and he is hereby, restored to the right to testify in all the Courts of this State. Tarleton McGrew—legal disabilities removed.

Approved February 6, 1874.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF CHESTERFIELD COUNTY TO CAUSE TO BE LEVIED AND COLLECTED A SPECIAL TAX OF TWO (2) MILLS. No. 5.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield County be, and they are hereby, authorized to cause to be levied and collected, at the same time and in the same manner as the general tax is levied and collected, a special tax of two (2) mills upon the dollar on all the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness of said County. County Commissioners to levy special tax

Approved February 6, 1874.

A. D. 1874.

No. 6.

# JOINT RESOLUTION TO POSTPONE THE PAYMENT OF INSTALLMENTS AND INTEREST DUE UPON LANDS PURCHASED OF THE LAND COMMISSION.

Preamble.

Whereas the present financial crisis has caused a great depression in the value of the products of the soil of this State, rendering it an impossibility for citizens who are under obligations to the State for the payment of installments due for land purchased from the Land Commission:

Payment of installments due on lands purchased from State postponed.

Secretary of State required to stay proceedings.

When to take effect.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the payment for installments and interest due upon lands purchased by citizens of this State from the Land Commission be, and they are hereby, postponed to December 7, 1874; and the Secretary of State is hereby required to stay all proceedings in the collection of the same until the date as above mentioned.

SEC. 2. That this Joint Resolution shall take effect immediately upon its passage.

Approved February 6, 1874.

# No. 7. JOINT RESOLUTION TO ALLOW JOSEPH TAYLOR, JOHN YATES AND PATIENCE MANSEL TO REDEEM CERTAIN FORFEITED LANDS.

Joseph Taylor et al. to redeem certain forfeited lands.

County Auditor to expunge from forfeited land record.

Proviso.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph Taylor, John Yates and Patience Mansel, of the County of Richland, be, and they are hereby, allowed to redeem certain lands formerly owned by them in common in said County, consisting of two hundred (200) acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that they shall pay over to the County Treasurer of Richland County all taxes, penalties and costs which are due upon the same; after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Richland; and, also, one piece of land in the city of Columbia, forfeited in the name of Partena Mansel, through an error in the Auditor's office, belonging to Patience Mansel: *Provided*, That said Patience Mansel pay all taxes and costs that may be due.

Approved February 12, 1874.

## JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF BARNWELL COUNTY.

A. D. 1871.

No. 8.

Commissioner to investigate financial condition of Barnwell County.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That O. Hewitt, F. J. Cassidy, A. C. Dibble, W. A. Nerland and J. M. Hutson be, and they are hereby, appointed a Committee to investigate the financial condition of Barnwell County; and that said Committee have power to send for persons and papers, to administer oaths and to take testimony concerning all transactions or payments of money by the County Commissioners, County Treasurer, or other officers of said County, from the first day of January, A. D. 1870, to the present date, and so report the result of their investigation to the first term of the Circuit Court in said County after the completion thereof: *Provided*, That said Committee receive only such compensation as may be allowed by the Circuit Judge.

Proviso.

Approved February 12, 1874.

## JOINT RESOLUTION TO RELIEVE L. H. RUSSELL, LATE TREASURER OF ABBEVILLE COUNTY, AND HIS BONDSMEN, FROM RESPONSIBILITY.

No. 9.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. H. Russell, late Treasurer of Abbeville County, and his bondsmen in said office, be, and they are hereby, relieved from all responsibility on account of any moneys ever in the hands of said L. H. Russell, as Treasurer as aforesaid. The State Treasurer and the County Commissioners of Abbeville County are hereby authorized and directed to give the said Russell full acquittance and release for all such moneys as aforesaid.

L. H. Russell and his bondsmen relieved from responsibility.

Approved February 13, 1874.

## JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF THE COUNTY OF CHARLESTON TO OPEN A PUBLIC HIGHWAY ON WADMALAW ISLAND.

No. 10.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners



A. D. 1874. of the County of Charleston be, and they are hereby, authorized and directed to open a public highway on Wadmalaw Island, commencing at Enterprise Landing, running through Little Liberia to Kill Corner, on said island.

County Commissioners to open certain road on Wadmalaw Island.

Approved February 13, 1874.

No. 11. JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE TERMS OF OFFICE OF COMPTROLLER GENERAL, SECRETARY OF STATE, TREASURER, ATTORNEY GENERAL, ADJUTANT AND INSPECTOR GENERAL AND SUPERINTENDENT OF EDUCATION.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State of South Carolina, relative to the term of office of Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General and Superintendent of Education, be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election and before another, ratify the same amendment by yeas and nays, it shall be part of the Constitution, to wit: Strike out of Section 23 of Article III the word "four," occurring in the third line, and insert the word "two," so that the Section of the Constitution will read, when amended, as follows:

Amendment to Constitution relative to term of office of State officers.

General Assembly to ratify same.

Word "four" stricken out and "two" inserted.

"SECTION 23. There shall be elected by the qualified voters of the State a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General and Superintendent of Education, who shall hold their respective offices for the term of two years, and whose duties and compensation shall be prescribed by law."

Section 23 of Article III, of Constitution, how to read.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot with the following words written or printed thereon: "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot with the following words written or printed thereon: "Constitutional Amendment—No."

Manner of voting.

Approved February 19, 1874.

JOINT RESOLUTION TO MAKE A CERTAIN ROAD IN UNION COUNTY, CONNECTING THE GLENN SPRINGS ROAD WITH THE COLUMBIA ROAD AT ENOREE CHURCH, A PUBLIC HIGHWAY. A. D. 1874.  
No. 12.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a certain road in Union County, commencing on the Glenn Springs road, at John Sims's plantation, and running thence through the lands of F. H. Bates, J. and T. W. Johnson, John Ray, Jesse Graham, John R. Minters and estate of W. C. Harris, to Enoree Church, on the Columbia road, and crossing Tyger River at Minter's Bridge, is hereby established and made a public highway, subject to the same repair, supervision and control by the County Commissioners as the other public highways of said County.

Approved March 3, 1874.

JOINT RESOLUTION WITH REFERENCE TO THE PAST INDEBTEDNESS OF SPARTANBURG COUNTY. No. 13.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized to use one mill of the three mills levied for County purposes at this session of the General Assembly, the same to be applied exclusively to the payment of past indebtedness of said County, except the past indebtedness incurred for building of bridges: *Provided*, That the past indebtedness for dieting prisoners and for services of jurors and Constables of the Circuit Court are first paid.

Approved March 3, 1874.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF LAURENS COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF THREE MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF THE SAID COUNTY. No. 14.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Laurens County be, and they are hereby, authorized and directed to levy and collect a special tax of three mills on the dollar on the

A. D. 1874. taxable property of the said County, said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Approved March 3, 1874.

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No. 15. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF THE SAID COUNTY.

County Commissioners to levy special tax of two mills.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar on the taxable property of the said County; said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Approved March 3, 1874.

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No. 16. JOINT RESOLUTION TO MAKE AN APPROPRIATION TO PAY CERTAIN CLAIMS, AND FOR OTHER PURPOSES.

Appropriation to pay claims of P. F. Frazee.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of nineteen thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, and bills payable or Treasury notes of the late State Treasurer, Niles G. Parker, together with the interest on the said certificates and bills payable, at the rate of seven per cent. per annum, held as the claims of Phineas F. Frazee against the State of South Carolina, which have already been passed upon, but no appropriation made for the payment of by the General Assembly.

Claim of W. E. Rose.

That the sum of six thousand seven hundred and seventy-two dollars and eighty-six cents be, and the same is hereby, appropriated for the payment of a pay certificate, issued December 1, 1873, in favor of W. E. Rose, for claims passed by the General Assembly, held by him against the State of South Carolina, for which no appropriation was made to pay.

That the sum of eleven hundred dollars be, and the same is hereby, appropriated to pay the pay certificates authorized by the General Assembly, and held by Felix Cardarelli as claims against the State of South Carolina, together with the interest on the said certificate at the rate of seven per cent. per annum. And the State Treasurer is hereby directed and required, upon the presentation at his counter, by the said Phineas F. Frazee, W. E. Rose or Felix Cardarelli, or their authorized agents, of the said claims, to pay the same. And the State Treasurer shall, and he is hereby, required, on the presentation of the aforesaid claims, to issue to the said Phineas F. Frazee, W. E. Rose, Felix Cardarelli, or their authorized agents, upon their demand, certificates of indebtedness to the amount of their several claims, which certificates shall be redeemed by the said Treasurer out of moneys collected from the taxes for the fiscal year commencing November 1, 1874, or receivable in payment of all taxes or other dues to the State for the said fiscal year, except for the payment of the interest on the public debt or the tax levied for the support of public schools.

A. D. 1874.

Claim of Felix Cardarelli.

State Treasurer to issue certificates of indebtedness.

Approved March 9, 1874.

JOINT RESOLUTION TO RELIEVE THE CITIZENS OF UNION COUNTY FROM PAYING TAXES ON THE ASSESSMENT OF REAL ESTATE MADE IN THE YEAR 1873. No. 17.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the balance of the taxes to be collected upon the real property of Union County shall be collected upon the assessment made for the year 1872.

Assessment of property in Union County to be re-equalized.

SEC. 2. That the County Board of Equalization for Union County are hereby required to meet on the second Monday in September next to equalize the real property of said County, according to law; which assessment, if legally done, shall stand as the assessment upon which taxes are to be paid until the next regular assessment.

Approved March 14, 1874.



- A. D. 1874. **JOINT RESOLUTION AUTHORIZING AND EMPOWERING LYTTLETON DANIEL, A TRIAL JUSTICE OF CHESTER COUNTY, TO EXERCISE THE FUNCTIONS OF HIS OFFICE IN ANY PORTION OF THE CORPORATE LIMITS OF THE TOWN OF BLACKSTOCK.**
- No. 18.

Lyttleton Daniel to exercise functions of his office in town of Blackstock.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lyttleton Daniel, a Trial Justice in and for the County of Chester, be, and he is hereby, authorized and empowered to exercise the functions of his office in all that portion of Fairfield County embraced in the corporate limits of the town of Blackstock.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

- No. 19. **JOINT RESOLUTION AUTHORIZING AND REQUIRING THE STATE TREASURER TO PAY TO THE COUNTY TREASURER OF GREENVILLE COUNTY THE SUM OF TEN THOUSAND AND FIFTY DOLLARS, TO BE APPLIED TO FREE SCHOOL PURPOSES.**

Preamble.

Whereas the County of Greenville has not received its apportionment of the free school fund, amounting to ten thousand and fifty (10,050) dollars, for the fiscal year ending the 31st day of October, 1873, in consequence of the default of the late County Treasurer; and whereas the said County Treasurer held claims against the State largely in excess in their amounts to the said apportionment, which were bought up with public funds, paid in by the taxpayers of Greenville County, and which have been attached in proceedings instituted by the Attorney General, on his official bond; and whereas it would be manifestly unjust that the County of Greenville should bear more than its proportional share of the loss, if any, resulting from the default of the said County Treasurer; now, therefore,

State Treasurer to pay County Treasurer of Greenville certain school moneys.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay to the County Treasurer of Greenville County the sum of ten thousand and fifty dollars, to be applied to free school purposes in Greenville

County on claims for the fiscal year ending October 31st, 1873: *Provided*, The sum be paid *pro rata* out of any money arising from phosphate royalty or from taxes due and unpaid for any year prior to the fiscal year 1873-74.

A. D. 1874.

Proviso.

Approved March 14, 1874.

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JOINT RESOLUTION TO REQUIRE THE COUNTY TREASURERS OF NEWBERRY AND MARION COUNTIES TO DISTRIBUTE THE MONEYS COLLECTED UNDER AND BY VIRTUE OF THE ACT APPROVED FEBRUARY 20TH, 1873, FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF SAID COUNTIES PRO RATA AMONG THE CLAIMS WHICH WERE REGISTERED AND ESTABLISHED IN PURSUANCE OF THE PROVISIONS OF SAID ACT.

No. 20.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurers of the Counties of Newberry and Marion be, and they are hereby, required to distribute the moneys collected by them in accordance with the Act entitled "An Act to authorize the County Commissioners of certain Counties to levy and collect an additional tax for certain purposes," approved February 20th, 1873, for the payment of the past due indebtedness of said County *pro rata* among all claims which have been registered in pursuance of the provisions of said Act; and the Commissioners of the said Counties of Newberry and Marion shall draw their warrants upon the said County Treasurers for the *pro rata* proportion of the claims so registered and established: *Provided*, That all claims which were created against said Counties between the day of the passage of said Act, approved February 20, 1873, and the first day of November, 1873, on or before which time the said Act required all claims to be registered in the office of the Clerks of the Courts of said Counties, to be considered as past due indebtedness, and be paid in the same manner as those claims registered before said first day of October, 1873: *Provided*, That the class of claims herein referred to be registered in the office of said Clerks of the Courts within thirty days from the passage of this Joint Resolution: *Provided*, *further*, That to the County Commissioners of the Counties herein named be reserved the full and sole power to disallow, either in whole or in part, any of the said claims which are not registered in accordance with the provisions of this Joint Resolution and the Act it tends to modify, and it be made the duty of the said County Commissioners to draw their warrants upon the County Treasurers for the payment herein provided within sixty days.

County Treasurers of Newberry and Marion Counties to distribute County funds collected *pro rata*.

Proviso.

Claims to be registered by Clerk of Court.

Approved March 14, 1874.

A. D. 1874.

No. 21.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE INCREASE OF THE DEBT OF COUNTIES, CITIES AND TOWNS.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, two-thirds of both Houses concurring, That the following Article be submitted to the qualified electors of the State at the next general election for Representatives, as an amendment to the Constitution of the State, which, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same, shall become part of the Constitution, namely:

Counties and towns not to loan credit in excess of five per centum without approval of majority of electors.

“ARTICLE XVII. The General Assembly shall not authorize any County, city, town or village to become a stockholder in, or to loan its credit to any company, association or corporation for any amount in excess of five per centum of the assessed value of the taxable property of such County, city, town or village, not without the approval of a majority of the legal voters of such County, city, town or village, expressed at an election duly held according to law.”

Manner of voting.

That the question of adopting this amendment shall be submitted to the electors, as follows: Those in favor of the amendment shall deposit a ballot with the following words written or printed thereon: “Constitutional Amendment, Article XVII—Yes.” Those opposed to the amendment shall cast a ballot with the following words written or printed thereon: “Constitutional amendment, Article XVII—No.”

Approved March 14, 1874.

No. 22. JOINT RESOLUTION TO PROVIDE AN APPROPRIATION FOR REPAIRING THE STATE HOUSE AND FENCES ENCLOSING THE GROUNDS OF THE SAME, AND FOR OTHER PURPOSES HEREIN MENTIONED.

Ten thousand dollars appropriated to repair State House and grounds.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of ten thousand dollars, if so much be necessary, is hereby appropriated, to be paid by the State Treasurer to the Secretary of State,



out of the State phosphate revenues, for the purpose of having the roof of the State House properly repaired and made weather proof, the first floor of the same properly paved or floored, the grounds of the same properly graded, and the fences enclosing the grounds put in repair, or replaced by new fences, as may be deemed necessary. That the sum of one thousand dollars, if so much be necessary, is hereby appropriated to remove the palmetto tree to its proper place in front of the State House, and to repair the same to its proper condition, under the supervision of the Secretary of State.

A. D. 1874.

One thousand dollars appropriated to repair and remove palmetto tree.

SEC. 2. That the Secretary of State is hereby authorized and required to take supervision and control of said repairs, and, after due advertisement in a newspaper published in the city of Columbia for at least two weeks, let out the same under contract to the lowest bidder, who shall furnish a bond for the faithful execution of the said work, as provided in Section 1 of this Resolution; and the said Secretary of State shall make report of his action in these premises to the next session of the General Assembly.

Repairs to be made under supervision of Secretary of State.

Approved March 14, 1874.

JOINT RESOLUTION PROVIDING THAT THE HON. C. BARING FARMER BE ALLOWED COMPENSATION FOR HOLDING SPECIAL COURTS.

No. 23.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Hon. C. Baring Farmer be paid a compensation of two hundred dollars for holding special terms of Court, under appointment of His Excellency Governor Moses, on the second Monday in March, eighteen hundred and seventy-three, in Barnwell County, and on the first Wednesday in April, eighteen hundred and seventy-three, for the County of Aiken.

\$200 allowed C. Baring Farmer, for holding extra Courts.

SEC. 2. That said sum of two hundred dollars be paid to the Hon. C. Baring Farmer by the State Treasurer, on the warrant of the Comptroller General, drawn upon the civil contingent fund.

Approved March 14, 1874.



A. D. 1874. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN CLAIMS THEREIN NAMED.  
No. 24.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of eleven thousand nine hundred and six dollars and fifty-six cents, (\$11,906.56,) or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of the claims owned and held by M. H. Berry and others, as follows: Legislative pay certificates for the years 1871, 1872 and 1873, amounting to the sum of \$11,906.56; the sum of three thousand and eleven dollars and fifty cents is also appropriated for the payment of the claim of the Aiken Tribune, passed by the two houses of the General Assembly at the present session; also the sum of twelve thousand dollars for the payment of the claims of George Symmers; also the sum of six thousand two hundred and eighty dollars for the payment of the claims of A. Palmer; also the sum of twenty-nine hundred and twenty-three dollars for the payment of the claim of the Beaufort Southern Standard; also the sum of two thousand three hundred dollars for the claim of the Columbia Union-Herald; also the sum of five thousand four hundred dollars for the payment of the claim of the Charleston Chronicle; also the sum of six thousand two hundred and ten dollars and thirty-three cents for the payment of the claims of Howie & Allen; also the sum of seven thousand seven hundred and forty-seven dollars for the payment of the claim of J. Evans Britton.

SEC. 2. That the State Treasurer be, and he is hereby, authorized and required, upon presentation of the aforesaid legislative pay certificates as provided for in Section 1 of this Joint Resolution, to issue to the said M. H. Berry and others certificates of indebtedness to the amount of the above appropriations in such sums as he, or they, the said M. H. Berry and others, may desire; said certificates to be redeemed out of any incoming taxes paid into the State Treasury for the fiscal year commencing November 1, 1874; and the State Treasurer is further authorized and directed to issue to Henry Sparnick certificates of indebtedness in the sum of three thousand and eleven dollars and fifty cents in payment of the claim of the Aiken Tribune, passed by the General Assembly at the present session, said certificates to be redeemed out of any incoming taxes paid into the State Treasury for the fiscal year commencing November 1, 1874.

Approved March 16, 1874.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE CLAIMS FOR LEGAL SERVICES OF C. D. MELTON AND D. H. CHAMBERLAIN, ESQUIRES, AND J. D. POPE, ESQUIRE, AND OTHERS.

A. D. 1874.

No. 25.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and the same are hereby, appropriated, that is to say: The sum of eight thousand and eight hundred dollars, to pay the claim of D. H. Chamberlain, Esq., for professional services rendered the State; the sum of three thousand and five hundred dollars to pay the claim of C. D. Melton, Esq., for professional services rendered the State; and the sum of five hundred dollars to pay the claim of J. D. Pope, Esq., for professional services rendered the State; also, the sum of thirteen hundred and two dollars for the payment of the services of S. H. McCoy, L. T. Green, Morris Wardlaw, James Wells and T. J. Gregory.

Appropriation to pay claim of D. H. Chamberlain.

Claim of C. D. Melton.

Claim of J. D. Pope.

Claims of S. H. McCoy *et al.*

SEC. 2. That the State Treasurer be, and he is hereby, authorized to pay the said several sums to the parties entitled thereto out of any money in the State Treasury not otherwise appropriated.

Said claims—out of what funds payable.

Approved March 16, 1874.

JOINT RESOLUTION DIRECTING THE STATE TREASURER TO REFUND TO ROBERT CHISOLM, JR., TRUSTEE, TWELVE HUNDRED DOLLARS, TAXES OVERPAID BY HIM.

No. 26.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to refund to Robert Chisolm, Jr., Trustee, the sum of twelve hundred (1,200) dollars, being the amount of taxes overpaid by him.

Refund of taxes to R. Chisolm.

Approved March 17, 1874.

A. D. 1874.

No. 27.

JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE TRUSTEES OF THE GREELEY INSTITUTE, IN ANDERSON COUNTY, TO ELECT THREE SPECIAL TRUSTEES, AND TO CONVEY THE PROPERTY BELONGING TO THE SAME TO THEM IN TRUST, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Special Trustees appointed, and duties.

To elect teachers.

Pay of same.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the present Board of Trustees of the Greeley Institute, in Anderson County, are hereby authorized and empowered to elect three Special Trustees, to whom they shall convey the property of said institute, to be held by them and their successors in office, in trust, for the benefit of the said institute; and it shall be the duty of said Special Trustees to take entire control of said institute, and are hereby empowered to elect such teachers and assistant teachers as they may deem necessary; and such teachers shall be recognized by the School Commissioner of Anderson County as lawful teachers; and it is hereby made the duty of said School Commissioner to draw his warrants on the County Treasurer for the payment of their services, said warrants to be paid on presentation by the County Treasurer of Anderson County out of any funds in his possession appropriated for school purposes: *Provided*, Said Trustees shall not employ more than one principal teacher and two assistant teachers: *And provided, further*, That the principal teacher shall not receive less than fifty dollars nor more than seventy-five dollars per month, and that the assistants shall not receive less than thirty-five dollars nor more than fifty dollars per month.

SEC. 2. That all Acts or parts of Acts, Joint Resolution or parts of Joint Resolutions, so far as they conflict with the provisions of this Resolution, be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 28. JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE.

Trustees of will of Dr. John De La Howe.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. B. Guffin, James Wharton, Thomas Finley and Thomas Christian be, and they are hereby, appointed Trustees under the will of the late Dr. John De La Howe, in accordance with the provisions of Section 2, Chapter XXXI, Title VIII, Part I, of the General Statutes.

Approved March 17, 1874.



JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF FAIRFIELD COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1874.

No. 29.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax of one and one-half mills on the dollar on the taxable property of the said County, said tax to be devoted exclusively for the payment of the past indebtedness of said County.

County Commissioners to pay one and one-half mills for past indebtedness.

Approved March 17, 1874.

JOINT RESOLUTION TO CHANGE THE NAMES OF HORACE H. MOSES, EMMA HENRIETTA MOSES, HIS WIFE, AND MABEL AND ISAAC H. MOSES, THEIR CHILDREN, TO HORACE H. HARBY, EMMA HENRIETTA HARBY, MABEL HARBY AND ISAAC H. HARBY, RESPECTIVELY.

No. 30.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Horace H. Moses, Emma Henrietta Moses, his wife, and Mabel and Isaac H. Moses, their children, of Sumter County, are hereby changed to Horace H. Harby, Emma Henrietta Harby, Mabel Harby and Isaac H. Harby, respectively, and that hereafter the said Horace H. Moses, Emma Henrietta Moses, Mabel Moses and Isaac H. Moses shall be known and called Horace H. Harby, Emma Henrietta Harby, Mabel Harby and Isaac H. Harby.

H. Moses et al., names changed to Harby.

Approved March 17, 1874.

JOINT RESOLUTION TO REQUIRE ALL PERSONS HOLDING CLAIMS AGAINST THE COUNTY OF CLARENDON TO FILE A LIST OF SUCH CLAIMS IN THE OFFICE OF THE CLERK OF THE COURT.

No. 31.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all per-



A. D. 1874.

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All claims to  
be registered.

sons holding claims against the County of Clarendon be, and they are hereby, required to file a list of such claims, with the amounts and dates thereof, in the office of the Clerk of the Court, within ninety days from and after the passage of this Joint Resolution.

SEC. 2. That it shall be the duty of the Treasurer of said County to pay said claims, in the order of their priority, out of any funds provided for the payment of said claims.

Approved March 17, 1874.

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No. 32. JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE GOVERNOR TO APPOINT TWO ADDITIONAL TRIAL JUSTICES FOR COLLETON COUNTY.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he hereby is, authorized and required to appoint two additional Trial Justices for Colleton County.

Two additional  
Trial Justices  
for Colleton  
County.

Approved March 17, 1874.

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No. 33. JOINT RESOLUTION TO REQUIRE THE COUNTY COMMISSIONERS OF UNION COUNTY TO APPLY THE PROCEEDS OF ONE MILL OF THE TAX OF THREE MILLS LEVIED BY THIS GENERAL ASSEMBLY, AT ITS PRESENT SESSION, FOR COUNTY PURPOSES, TO THE PAYMENT OF PAST INDEBTEDNESS OF SAID COUNTY.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Union County be, and they are hereby, authorized and required to apply the proceeds of one mill of the tax of three mills levied upon the taxable property of the County of Union by this General Assembly, at its present session, for County purposes, to the payment of the past indebtedness of said County: *Provided*, That the sum so to be applied shall be paid rateable to the holders of said indebtedness.

County Commissioners to  
use one mill of  
tax for past in-  
debtedness.

Moneys to be  
paid out pro  
rata.

Approved March 17, 1874.

JOINT RESOLUTION TO RELIEVE STEPHEN D. RUSSELL,  
DEPUTY COUNTY TREASURER, AND WILLIAM GURNEY, COUNTY  
TREASURER, OF CHARLESTON COUNTY, OF RESPONSIBILITY  
AND LIABILITY FOR CERTAIN MONEYS LOST BY FIRE.

A. D. 1874.

No. 34.

Whereas certain moneys belonging to the State, collected as taxes by Stephen D. Russell, Deputy County Treasurer of the County of Charleston, were lost by fire, wherein the said Stephen D. Russell was not in default, and the said destruction was unavoidable; therefore,

Preamble.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Stephen D. Russell, of St. Stephen's, Deputy County Treasurer of the County of Charleston, be, and he is hereby, relieved from all responsibility to William Gurney, County Treasurer of Charleston County, for and on account of certain moneys, amounting to the sum of five hundred and ninety-two 27-100 (592.27) dollars, collected by the said Stephen D. Russell for taxes due to the State and the County of Charleston, which was lost by fire on the 31st of January, 1873, at St. Stephen's, in said County; and that the said William Gurney, as County Treasurer of Charleston County, be, and he is hereby, relieved of all liability to the State and County for and on account of the said sum of five hundred and ninety-two 27-100 (592.27) dollars so lost and destroyed.

Russell and  
Gurney relieved  
of responsibility  
on account of  
moneys lost by  
fire.

Approved March 17, 1874.

JOINT RESOLUTION PROVIDING FOR REASSESSMENT OF REAL  
ESTATE IN 1874.

No. 35.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an assessment of the real property in this State shall be made in the year one thousand eight hundred and seventy-four, at the same time that the assessment of personal property is made, and in the manner and according to the rules prescribed for the assessment of real property in the Act to provide for the assessment and taxation of property, passed the fifteenth day of September, 1868.

Assessment of  
real property  
in 1874.

Approved March 17, 1874.

A. D. 1874. **JOINT RESOLUTION AUTHORIZING THE ATTORNEY GENERAL TO INSTITUTE LEGAL PROCEEDINGS FOR THE RECOVERY OF POSSESSION OF THE PROCEEDS OF STATE PROPERTY SOLD BY THE SINKING FUND COMMISSION.**

Attorney General to institute proceedings for recovery of moneys from Commissioners of Sinking Fund, &c.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney General be, and he is hereby, authorized and directed to institute legal proceedings for the collection and recovery of all moneys and securities in the hands or possession of any of the former Commissioners of the Sinking Fund, belonging to the Sinking Fund, and of all moneys or rent due the said Sinking Fund on bond, note, claim, lease or otherwise; also that he be authorized and directed to ascertain whether the conditions upon which the sale of the stock owned by the State in the Blue Ridge Railroad Company was made by the Commissioners of the Sinking Fund have been complied with, and, if not, to institute legal proceedings to enforce compliance with them.

Also for recovery of certain bonds.

SEC. 2. That the Attorney General be, and he is hereby, authorized and directed to institute legal proceedings for recovering possession of the bonds of the State of South Carolina purchased by William B. Gulick, Esq., Treasurer of the Sinking Fund Commission, by order of the Commissioners, and with moneys belonging to the said Sinking Fund.

Approved March 19, 1874.

No. 37. **JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF CLARENDON COUNTY.**

Committee to investigate financial affairs

Powers and duties.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. L. Reynolds, S. Warren Nelson, William Cantey, P. A. Logan, be, and they are hereby, appointed a Committee to investigate the financial condition of Clarendon County, and that said Committee have power to send for persons and papers, to administer oaths and to take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County from the first day of January, A. D. 1870, to the present date, and to report the result of their investigations to the first term of the Circuit Court in said County after the completion thereof.

Approved March 19, 1874.

ACTS OF THE GENERAL ASSEMBLY  
OF THE  
STATE OF SOUTH CAROLINA,

*Passed at the Regular Session, which was begun and held at the  
City of Columbia, on the Twenty-fourth day of November, A.  
D. 1874, and was adjourned without day on the 26th day  
of March, A. D. 1875.*

DANIEL H. CHAMBERLAIN, Governor. R. HOWELL GLEAVES,  
President of the Senate. ROBERT B. ELLIOTT, Speaker of the  
House of Representatives.

A. D. 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT REQUIRING A  
BOND FROM COUNTY COMMISSIONERS, BEFORE ENTERING UPON  
THE DUTIES OF THEIR OFFICE." No. 647.

*Be it enacted* by the Senate and House of Representatives of the  
State of South Carolina, now met and sitting in General Assembly,  
and by the authority of the same, That Section 1 of an Act enti-  
tled "An Act requiring a bond from County Commissioners, before  
entering upon the duties of their office," be, and the same is hereby,  
amended, by inserting between the word "Counties," and the word  
"conditioned," on the eighth line thereof, the following words, to  
wit: "Or in case of a vacancy in his office, then by the Attorney  
General of the State."

When Attor-  
ney General  
may approve  
certain bonds.

Approved December 21, 1874.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF THE No. 648.  
SALARY AND MILEAGE OF THE MEMBERS OF THE GENERAL  
ASSEMBLY, AND THE SALARIES OF THE SUBORDINATE OFFICERS  
AND EMPLOYEES, AND OTHER EXPENSES INCIDENTAL THERETO.

SECTION 1. *Be it enacted* by the Senate and House of Represen-  
tatives of the State of South Carolina, now met and sitting in



A. D. 1874.

Amount ap-  
propriated.

General Assembly, and by the authority of the same, That for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other incidental expenses, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated as follows:

Pay of mem-  
bers.

For the payment of the salary and mileage of the members of the General Assembly, one hundred and three thousand dollars, or so much thereof as may be necessary.

For the salary of J. Woodruff, Clerk of the Senate, twenty-five hundred dollars.

For the salary of A. O. Jones, Clerk of the House of Representatives, twenty-five hundred dollars.

For the salary of John A. Barre, Assistant Clerk of the Senate, twelve hundred dollars.

For the salary of Wm. J. Etter, Assistant Clerk of the House of Representatives, twelve hundred dollars.

For the salary of H. L. Shrewsbury, Journal Clerk of the House of Representatives, one thousand dollars.

For the pay of R. A. Sisson, Reading Clerk of the Senate, six dollars per day during the session.

For the pay of W. R. Marshall, Reading Clerk of the House of Representatives, six dollars per day during the session.

For the pay of J. E. Green, Sergeant-at-Arms of the Senate, six dollars per day during the session.

For the pay of George C. Clyde, Sergeant-at-Arms of the House of Representatives, six dollars per day during the session.

For the pay of Henry Daniels, Assistant Sergeant-at-Arms of the House of Representatives, five dollars per day during the session.

For the pay of James Wells, Chief Messenger or Bill Clerk of the Senate, three dollars per day during the session.

For the pay of the Chief Messenger or Bill Clerk, R. W. Butler, of the House of Representatives, five dollars per day during the session.

For the pay of Alfred Williams, John West, R. W. Boone, Committee Clerks of the Senate; W. J. Corbit, R. H. Kirk, Nathan R. Williams, I. H. White, C. J. Houston, Salles Randall, Committee Clerks of the House of Representatives, five dollars per day, each, during the session.

For the pay of Adam Thomas, Henry Bec, doorkeepers of the Senate; R. R. Duncan, Augustus Harris, S. P. Picksly, doorkeepers of the House of Representatives, three dollars per day, each, during the session.

For the pay of Cyrus Singleton, Isaac Castles, James Major, Messengers of the House of Representatives, three dollars per day, each, during the session.

A. D. 1874.

For the pay of J. B. Biers, John Evans, Simeon Sanders, laborers of the Senate; Preston Richardson, David Singleton, Edmund Stubbs, Jesse Cokely, laborers of the House of Representatives, three dollars per day during the session.

For the pay of M. Pinckney, mail carrier of the House of Representatives, three dollars per day during the session.

For the pay of Lewis Grant, porter in office of Clerk of the Senate, three dollars per day during the session.

For the pay of Wm. Lomax, Wyatt Dibble, Thomas H. Hayne, John Reese, Pages of the Senate; F. A. Spellman, Charles Levy, James M. Mobley, James Lee, Pages of the House of Representatives, one dollar and fifty cents per day, each, during the session.

For the pay of James W. Wilkinson, L. T. Levin, H. H. Logan, M. R. Sturgis, J. Bahlman, William Bollinger, Engrossing Clerks in the office of Secretary of State, six dollars per day during the session.

For the pay of Samuel J. Lee, T. M. Wilkes, T. S. Cavender, H. Noah, attorneys and clerks in office of Attorney General, six dollars per day during the session.

For the pay of William Vaughn, porter in office of Secretary of State, three dollars a day during the session.

For incidental or contingent expenses of the Senate, ten thousand dollars, or so much thereof as may be necessary, to be paid on accounts audited by the Committee on Contingent Expenses of the Senate, and passed by that body. All accounts, after being so audited, shall, before payment, be itemized, printed and laid on the desks of members of the Senate, for inspection and approval.

Appropriation for payment of contingent expenses of Senate.

For incidental or contingent expenses of the House of Representatives, three thousand dollars, or so much thereof as may be necessary, to be paid on accounts audited by the Committee on Contingent Accounts of that body. All accounts, after being so audited, shall, before payment, be itemized, printed and laid on the desks of members of the House of Representatives for inspection and approval.

Contingent expenses of the House of Representatives.

SEC. 2. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of salary and mileage due to each member of the Senate and House of Representatives, as fixed by an Act entitled "An Act to regulate the pay of the members of the General Assembly," approved March 13, 1872, and to each officer or employee

Certificates to be furnished to members and employees.

A. D. 1875.

of that branch of the General Assembly to which such officer or employee shall respectively belong, signed by the presiding officers, respectively, and properly attested to by the Clerk of such branch of the General Assembly.

Contingent  
expenses, mode  
of payment.

SEC. 3. That the payment of contingent accounts shall be made upon certificates of that House in which accounts are passed, signed by the presiding officer and attested by the Clerk of each House, respectively, and countersigned by the Chairman of Committee on Contingent Accounts; and the State Treasurer is hereby authorized and directed to pay, at his counter, said certificates as above set forth.

State Treas-  
urer to pay cer-  
tificates at his  
counter.

SEC. 4. That in the payment of the said appropriation, the State Treasurer is hereby authorized and directed to pay, at his counter, said orders or certificates in the following order:

First. Certificates of members of the Senate and House of Representatives for salary and mileage.

Second. Certificates of officers of the two Houses for salary.

Third. Certificates of pay for Sergeant-at-Arms and Assistant Sergeant-at-Arms, Reading Clerk, Committee and Engrossing Clerks, Attorneys at Law, Bill Clerks, Messengers, Porters, Laborers, Pages.

Fourth. Certificates or orders for incidental or contingent expenses.

Approved December 22, 1874.

NO. 649. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH AN INFERIOR COURT FOR THE TRIAL OF CRIMINAL CASES IN THE COUNTY OF CHARLESTON."

Inferior Court  
abolished.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish an Inferior Court for the trial of criminal cases in the County of Charleston" be, and the same is hereby, repealed.

Cases on  
docket to be  
transferred to  
docket of Court  
of General Ses-  
sions.

SEC. 2. That all cases now on the docket of said Inferior Court shall be transferred to the docket of the Court of General Sessions for said County, and shall thenceforth proceed, in all respects, as though the same had been commenced in the Court of General Sessions.

Approved January 13, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY," AND FOR OTHER PURPOSES.

A. D. 1875.

No. 650.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 3 of an Act entitled "An Act to establish a new Judicial and Election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County," as designates and appoints Commissioners for the purposes therein specified, be, and the same is hereby, repealed; and the County Commissioners of Aiken County, and their successors, be, and they are hereby, appointed such Commissioners in the place and stead of the Commissioners designated and appointed in said Section 3, with the same and like powers, duties and responsibilities.

County Commissioners of Aiken substituted for the Commissioners relieved in above recited Act.

SEC. 2. That the said Commissioners designated and appointed in said Section 3 be, and they are hereby, required, within ten days after the passage of this Act, to turn over and deliver to the County Commissioners of Aiken County all books, papers, records, documents and memoranda in their possession.

Commissioner to turn over certain books and papers.

SEC. 3. That to carry out the provisions of said Section 3 of the Act aforesaid, a special tax of one mill and a half upon the assessed value of the real and personal property of Aiken County be levied, to be collected with the next general State and County taxes.

Tax of one and one-half mills levied.

SEC. 4. That the said County Commissioners, in anticipation of the collection of said special tax, be empowered to contract debts and incur liabilities to the extent of four thousand five hundred dollars in building a jail, making necessary alterations and repairs of the Court House, and meeting outstanding obligations heretofore incurred in carrying out the purposes mentioned in said Section 3.

County Commissioners empowered to contract certain debts.

Approved January 13, 1875.

AN ACT TO PROVIDE FOR THE ADJUSTMENT AND SETTLEMENT OF THE DEBT OF BARNWELL COUNTY.

No. 651.

Whereas, by virtue of an Act to raise supplies for the fiscal year commencing November first, 1874, an additional tax of one and one-half mills was levied upon every dollar of the value of all tax-

Preamble.



A. D. 1875.

able property in the County of Barnwell, which should be applied to the payment of the past indebtedness of said County *pro rata*; and whereas it is represented that said tax, so levied, will pay *pro rata* only a small proportion of its *bona fide* debt; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the County Treasurer of Barnwell County to report without delay the amount of moneys realized from the levy of the additional tax of one and one-half mills to the County Commissioners of Barnwell County, and whenever one thousand dollars of this tax is reported in the Treasury the County Commissioners shall advertise for fifteen days for sealed bids from parties holding checks or audited claims contracted prior to the twentieth day of October, 1874. Said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on the checks or audited claims.

County Treasurer to report amount of money realized.

County Commissioners to advertise for bids.

Record of bids to be kept.

SEC. 2. That it shall be the duty of the County Commissioners to keep a record of the sealed bids and the checks and audited claims contained therein, mentioned in Section 1 of this Act, and as soon as said sealed bids shall be opened they shall be immediately entered in said record, which shall be opened for public inspection.

Holders of claims to file list of the same.

SEC. 3. That all persons holding claims against the County of Barnwell are hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of the County Commissioners.

SEC. 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved January 16, 1875.

## No. 652. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF BARNWELL.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, five Trial Justices for the County of Barnwell, and no more, to hold their offices for the term of two years, unless sooner removed by the Governor.

Trial Justices, number and term of office.

SEC. 2. That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: One for the villages of Blackville and Williston; one for the villages of Bamberg, Midway and Graham's Turn Out; one for the village of Barnwell; one for the township of Allendale; one for the township of Four Miles; and shall keep their offices at the respective places for which they are commissioned, which shall be open from day to day for the transaction of business.

A. D. 1875.

Where to be located.

SEC. 3. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary of three hundred dollars per annum, payable quarterly, on the first of January, April, July and October by the County Treasurer of such County, out of County funds, and no account or claim other than for such salary shall be preferred by, allowed or paid to any Trial Justice of said County by the said County on account of criminal proceedings: *Provided*, That the Trial Justices commissioned for the villages of Bamberg, Midway and Graham's Turn Out shall receive an annual salary of six hundred dollars; and that the Trial Justice so commissioned for Blackville and Williston shall receive the sum of four hundred dollars per annum.

Salary, amount and when payable.

SEC. 4. That the said Trial Justices for Barnwell County are hereby required, on the first of each and every month, to file with the Clerk of the Circuit Court of said County a report, duly verified, of all the fees and costs charged, and fines imposed, in criminal cases and proceedings had before them, and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

To file monthly reports with Clerk of Court.

SEC. 5. That all the appointments of Trial Justices for the County of Barnwell heretofore made shall cease and determine on and after the passage of this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately after their qualification.

To pay over fees, &amp;c., to County Treasurer.

Appointments heretofore made, when to cease.

SEC. 6. That the Trial Justices appointed for Barnwell County may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure: *Provided*, That the Trial Justices commissioned for Bamberg, Midway, Graham's Turn Out, Blackville and Williston, may each appoint, if they deem it necessary, two Constables. The Constables so appointed shall each receive a salary of two hundred dollars per annum, to be paid at the times and in the manner provided by Section three of this Act.

Constables, number and salary.

A. D. 1875.

Penalty for  
neglect of duty,  
&c.

SEC. 7. That if either of the Trial Justices appointed for the County of Barnwell shall neglect to attend to the duties of their office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction, shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

County Treas-  
urer to set  
aside salaries of  
Trial Justices  
and Constables.

SEC. 8. That the County Treasurer of Barnwell County be, and he is hereby, instructed to set aside, annually, out of the County fund, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, as may be deemed best, in the judgment of the Court.

Bond, amount  
and by whom  
approved.

SEC. 9. The Trial Justices and Constables so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties. The bond to be approved by the Judge of the Second Circuit.

Report to be  
read in open  
Court.

SEC. 10. That the reports required to be made by Section four of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointments herein authorized, and on the first day of each term thereafter.

SEC. 11. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved January 16, 1875.

NO. 653. AN ACT TO CHANGE THE NAME OF R. W. BROWN TO R. W. WEBB.

R. W. Brown,  
name changed  
to Webb.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of R. W. Brown, of Colleton County, is hereby changed, and he shall hereafter be known as R. W. Webb.

Approved January 21, 1875.

AN ACT TO AMEND AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX,  
APPROVED MARCH 3, 1874.

A. D. 1875.

No. 654.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act authorizing the County Commissioners of Williamsburg County to levy a special tax, approved March 3, 1874, be amended as hereinafter provided: Strike out Section 3, and substitute therefor the following: "That it is hereby made the duty of the Treasurer, out of the funds so collected under this Act, to retain the same in the County Treasury until the tax book shall be closed, as now required by law, and then, after ascertaining the amount so collected, give public notice thereof by advertising, in one or more County newspapers, once a week for three successive weeks, declaring a *pro rata* rate of distribution on the amount of accounts registered in his office under the provisions of said Act; and shall forthwith, on presentation of said checks, orders, bills or accounts so registered, pay to the holders thereof their *pro rata* share of the amount so collected, endorsing the amount paid on the claim presented, and taking claimant's receipt for such payment, and such receipt shall be held a legal voucher in his settlement and accounting for the proceeds of said special tax.

Proceeds of  
special tax to  
be distributed  
*pro rata*.

Approved January 21, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS." NO. 655.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," be amended by inserting after the words "United States," on sixth line of said Section, the words "except the County of Fairfield."

Fairfield  
County exempt  
from certain  
tax.

Approved January 28, 1875.



A. D. 1875.

No. 656.

AN ACT TO INCORPORATE THE TOWN OF GEORGE'S STATION,  
COLLETON COUNTY, SOUTH CAROLINA.

Incorporated  
and invested  
with powers,  
&c., conferred  
on town of  
Branchville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the town of George's Station, in Colleton County, South Carolina, be, and the same is hereby, incorporated, and that all the rights, powers and privileges conferred upon the officers of the town of Branchville, in this State, are hereby conferred on and vested in the Intendant and Wardens of the town of George's Station.

Officers, when  
to be elected.

SEC. 2. That the officers of the town shall consist of one Intendant and four Wardens, who shall be elected annually on the first Monday in February.

Corporate  
limits.

SEC. 3. That the limits of said town shall extend one-half mile each way from the intersection of Main and Society streets.

SEC. 4. This Act shall take effect immediately after its passage, and shall continue in force for the term of fourteen years.

Approved January 28, 1875.

NO. 657. AN ACT PROVIDING FOR THE SPECIFIC APPROPRIATION OF  
REVENUE DERIVED FROM LIQUOR LICENSES.

Revenues  
from liquor  
license to sup-  
port paupers  
and poor farms.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all revenues derived from the issuing of retail liquor and tavern licenses, as provided for in Sections 4 and 5 of an Act to regulate the sale of intoxicating liquors, and to alter and amend the law in relation thereto, approved March 19, 1874, be, and the same are hereby, made a specific fund, to be set apart and used only for the support of the paupers and poor farms in each of the Counties of the State. And if, in any County in this State, the amount raised from license shall exceed the amount necessary to support the poor in the said County, the surplus shall be devoted by the County Commissioners to any claim against the County accruing in the fiscal year in which the money was raised.

Treasurers to  
hold revenues  
subject to  
County Com-  
missioners' or-  
der.

SEC. 2. That it shall be, and is hereby made, the duty of the County Treasurers to report, as now provided by law, to the Board of County Commissioners, all funds arising out of said revenues in their hands, and to hold the same subject to the order of the County

Commissioners for the uses and purposes mentioned in Section 1 of this Act. A. D. 1875.

SEC. 3. That the fund so received under the provisions of this Act shall only be used and expended to and for the use and benefit of the paupers and poor farms of the several Counties, as provided by Section 1. And for any violation of the terms of this Act the officer entrusted with the disbursement of this fund shall be deemed guilty of malfeasance in office, and, upon conviction thereof, shall be fined not exceeding one thousand dollars, or imprisonment not exceeding one year, in the discretion of the Court.

Said fund only for use of paupers and poor farms.  
Penalty for diversion.

Approved January 30, 1875.

AN ACT TO AUTHORIZE AND PERMIT HENRY N. WHITE TO ERECT AND KEEP A GATE ACROSS SHALLOW FORD ROAD, WEST OF SENECA RIVER, IN ANDERSON COUNTY. No. 658.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry N. White be, and he is hereby, authorized and permitted to erect and keep a gate across Shallow Ford Road, west of Seneca River, in Anderson County, at any point where he owns land bounding on the same.

Henry N. White to erect a gate across a certain road.

Approved February 4, 1875.

AN ACT TO INCORPORATE THE HIBERNIA MUTUAL INSURANCE COMPANY, OF CHARLESTON. No. 659.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons who shall become members in the manner hereinafter prescribed shall thereupon become, and they and their successors shall be, a body politic and corporate, under the name, style and title of the Hibernia Mutual Insurance Company, of Charleston.

Corporate name.

SEC. 2. That every person insured in this company shall be deemed a member thereof, and shall continue a member thereof during the continuance of such insurance.

Insured persons to be deemed members.

SEC. 3. That as soon as one hundred and fifty persons shall subscribe their names to an agreement to become insured by the said company, the same shall go into operation; but if at any time

When to go into operation.

A. D. 1875.

thereafter the members amount to less than one hundred and fifty, the said company shall immediately cease and determine.

Powers and  
privileges.

SEC. 4. That the said company, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of their capital stock according to such rules, regulations and institutions as they may, from time to time, establish; and also of taking, holding and disposing of, or investing, as the said corporation shall from time to time judge fit, the increase, profit or emoluments of their said capital stock to their own use, and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and by the name, title and style aforesaid shall be able and capable, at law or in equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatever; and they are hereby authorized and empowered to appoint a Board of Directory, to consist of a President, a Secretary and Treasurer, and six Directors, at such periods and with such duties as they shall see fit; and also to make rules, by-laws and ordinances, and do everything needful for the government and support of the affairs of the said corporation, and for restoring their capital when diminished by losses: *Provided, always,* That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State.

Proviso.

May acquire  
and dispose of  
real estate.

SEC. 5. That the said corporation shall have a right and power to purchase, acquire, take and hold, in the said corporate name, lands and real estate to any amount not exceeding eight hundred thousand dollars, and the same to devise, grant, sell, lease, assign and convey in fee simple or otherwise.

Further powers.

SEC. 6. That the said corporation shall, by their said name and by the signature of their President, for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity as they shall from time to time and by their rules and by-laws ordain and appoint, have a right to make contracts and underwrite policies of insurance and indemnity upon marine risks, whether of vessels or goods and merchandise, in whole or in part, foreign and domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State, lying or being laden; and also in like manner to make

contracts and underwrite policies of insurance and indemnity against fire on all buildings, goods, wares, merchandise, and other property liable to destruction or accident by or from fire, or the effects thereof, situate, lying, being or deposited in this State, or elsewhere; to lend or advance money upon bottomry or *respondentia*; to make insurnace upon lives; to grant and purchase annuities; to lend money on the security of real and personal property, or either, or on bonds, bills or promissory notes; to make any other contingent contracts involving the duration of life, and generally to transact and perform all the business relating to the objects aforesaid, according to the usage and custom of merchants, and by such contracts effectually to bind and pledge their said members, each according to his rate of insurance and amount insured, according to their rules and regulations established and subscribed.

A. D. 1875.

SEC. 7. That in case any accident occurs, and the damage has been ascertained, it shall and may be lawful to and for the said Board of Directors, if they shall deem the same necessary, to assess all the members according to the amount and rates of their insurance. One month's notice shall be publicly given, in some newspaper published within the State, of the said assessment, within which period the same shall be paid to the Treasurer; and if the assessment of any member be not paid within the period fixed as aforesaid, the said company may recover from such defaulting member the amount of his or her assessment, with interest thereon from the date of such assessment.

Assessment  
of members.

SEC. 8. That in all elections in the said company each member thereof shall be entitled to one vote, and all elections shall be conducted by ballot.

Elections.

SEC. 9. That this Act shall be deemed a public Act, and be in force for twenty-one years.

Approved February 6, 1875.

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AN ACT TO INCORPORATE THE TOWN OF JOHNSON'S TURN OUT, No. 660.  
IN THE COUNTY OF EDGEFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Johnson's Turn Out shall be



A. D. 1875. deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Johnson's Turn Out, and its corporate limits shall extend one-half mile from the depot of the Charlotte, Columbia and Augusta Railroad Company, in a direction due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

Corporate limits. SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town on the third Monday of April, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Edgefield County shall designate three suitable persons, citizens of said town, to act as Managers of Election; and that the Intendant and Wardens, for the time being, shall annually appoint Managers to conduct each ensuing election.

Officers. SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provision of the charter granted to the town of Edgefield, under an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," approved February 26, 1870.

Time of holding election. SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Qualifications of voters. Approved February 6, 1875.

Managers of Election. No. 661. AN ACT TO SET APART \$4,000 OF THE SPECIAL TAX OF THREE MILLS LEVIED IN ABBEVILLE COUNTY UNDER AN ACT OF THE GENERAL ASSEMBLY, APPROVED MARCH 14, 1874.

Invested with powers, &c., conferred on town of Edgefield. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That four thousand dollars of the special tax of three mills levied for Abbeville County, by an Act of the General Assembly, approved 14th March, 1874, be, and the same is hereby, set apart for the payment of the unpaid current expenses of said County for the fiscal year ending 31st of October,

Four thousand dollars set apart for payment of unpaid current expenses.

A. D. 1874; and it is hereby made the duty of the Treasurer of Abbeville County to keep the said tax of four thousand dollars, hereby set apart, separate and apart from all other taxes, and to pay the same out on the order of the County Commissioners of said County.

A. D. 1875.

How to be paid out.

Approved February 6, 1875.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TABLE No. 662.  
MOUNTAIN TURNPIKE COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Table Mountain Turnpike Company be, and the same is hereby, renewed, and is hereby vested in James A. Bates and J. K. Sutherland, and their successors and assigns. And that the said James A. Bates and J. K. Sutherland, and their successors or assigns, shall be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Table Mountain Turnpike Company;" and they shall have, exercise and enjoy all the exclusive rights, privileges and immunities that have heretofore been extended and allowed to John Bowen, under Section 7 of an Act of the General Assembly of the State of South Carolina entitled "An Act to establish certain roads, bridges and ferries," ratified on the 20th day of December, 1856.

Charter renewed.

In whom vested.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force for the term of twenty-one years.

Approved February 8, 1875.

AN ACT TO INCORPORATE THE TOWN OF PORT HARRELSON, IN No. 663.  
Horry County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or who may hereafter become, inhabitants of the town of Port Harrelson, shall be deemed, and are hereby declared, a body politic and corporate, and that said town shall be called and known by the name of "Port

Corporators.

A. D. 1875. Harrelson," and its corporate limits shall include the place now known as "Bull Creek," and shall extend along the waters of Bull Creek, from Hell Gate, for the distance of two miles down the stream; that the northwestern boundary be a line one mile up Cowford Creek, measured from its junction with Bull Creek, then a line one mile parallel with Bull Creek, then taking the stream to Hell Gate.

Corporate  
name.  
Corporate  
limits.

Officers.

Election.

Oath of office.

Vacancies.

Judicial pow-  
ers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday of January every year, and to hold office until their successors are elected and duly qualified; that the said Intendant and Wardens shall be citizens of the State of South Carolina, and shall have been resident in said town for sixty days immediately preceding said election; that such election shall be held at such places in said town as the Intendant and Wardens shall designate by publication ten days before any such election; that all male inhabitants of the said town of the age of twenty-one years, who shall be citizens of the State of South Carolina, and shall have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; that the said election shall be held from nine in the morning till three o'clock in the afternoon, when the polls shall be closed, and the Managers shall count the votes and proclaim the election, and give notice thereof, in writing, to the parties elected; that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election; and that the said Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of Port Harrelson, I will, equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

SEC. 3. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held by the appointment of the Intendant or Wardens, as the case may be, ten days' notice thereof as aforesaid being given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively,

be vested with all the powers of other incorporated towns of this State in matters civil and criminal within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Port Harrelson; and they, and their successors in office, shall have a common seal, and shall have power to sue and be sued in any Court of this State, and shall have power and authority to appoint, from time to time, such and so many persons to act as Marshals, who shall be clothed with all the powers, and shall be allowed all the privileges and emoluments of, and be subject to all the duties, penalties and regulations provided by the laws of this State for the office of Constable, as they may deem expedient.

A. D. 1875.

Marshals.

SEC. 5. That the Intendant and Wardens, in Council, shall have power and authority to ordain and establish all such rules and by-laws and ordinances, respecting the streets, ways, public wells and springs of water, markets and police of the town, and for preserving health, peace, order and good government within the same, as they may deem proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation, but no fine shall exceed fifty dollars; all fines may be recovered by an action for debt before a proper tribunal: *Provided*, That the penalty for retailing liquors without license shall not be a greater sum than the sum provided by law as penalty for such offense.

General powers.

Fines.

SEC. 6. That the said Council shall have power to abate nuisances, and to classify and arrange the inhabitants liable to police duty and road duty, and require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now, or may hereafter be established by law: *Provided, always, nevertheless*, That the said Town Council shall have power to compound with persons liable to such duties upon such terms as they shall, by ordinance, establish.

Abatement of nuisances.

SEC. 7. That it shall be the duty of the Intendant and Wardens to keep all streets and ways which may be necessary for public use within the limits of the said town, open and in good repair; and for that purpose they are hereby invested with all the powers, rights and privileges, and shall be liable to the pains and penalties imposed by law upon Commissioners of Roads. And the inhabitants of said town are hereby excused from road and police duty without the limits of the corporation.

Road and street duty.

SEC. 8. That the Intendant and Wardens of the said town shall have power and authority to require all persons owning a lot or

Sidewalks.



A. D. 1875.

lots in the said town of Port Harrelson to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter, shall have power and authority to impose a fine not to exceed ten dollars.

Licenses.

SEC. 9. That the said Intendant and Wardens shall have full power to grant or refuse licenses to any person, firm, company or corporation, to conduct any business, trade or profession whatsoever, within the limits of the said town, upon such conditions and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern, billiard room, or to retail spirituous liquors, be fixed at a less sum than is established by the laws of this State: *Provided*, That the Intendant and Wardens shall not have power to grant any license to extend beyond the term for which they have been elected.

Disposition  
of fines.

Taxation.

SEC. 10. That the amount collected for fines and licenses shall be used for public uses of said town; and the said Town Council of Port Harrelson shall also have power to impose an annual tax on all the real and personal property within the corporate limits of said town, to be collected by the said Town Council under such regulations as they may ordain: *Provided*, Said tax does not exceed the sum of twenty-five cents on the one hundred dollars.

May hold and  
dispose of prop-  
erty.

SEC. 11. That the said Town Council of Port Harrelson shall also be empowered to retain, possess and enjoy all such property as they may become possessed of by purchase, bequests, or in any other manner.

Time of first  
election.

SEC. 12. The first election held under this Act shall be held on the first Monday in April, 1875, and the officers elected thereat shall hold their offices until the second Monday in January, 1876, or until their successors are duly elected and qualified. The said

Election, by  
whom called.

first election shall be called by the Commissioners of Election of Horry County, which said Commissioners shall appoint Managers to conduct the same, who shall make returns thereof to the said Commissioners, the same as of other elections held in said County; and the said Commissioners shall declare the election and notify the persons elected Intendant and Wardens of said town.

Approved February 8, 1875.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE UNION  
SAVINGS BANK, OF COLUMBIA, SOUTH CAROLINA.

A. D. 1875.

No. 664.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one (1) of the Act entitled "An Act to charter the Union Savings Bank, of Columbia, South Carolina," approved March 13, 1872, be, and the same is hereby, amended by striking out the word "Savings," in the ninth line thereof, as printed, so that the name and style of the said corporation shall hereafter be "The Union Bank, of Columbia, South Carolina."

Name  
changed to  
Union Bank.

SEC. 2. That Section seven (7) of said Act be, and is hereby, repealed, and the following substituted therefor: "Section 7. At the close of each fiscal year scrip may be issued for as many shares, of one hundred dollars each, as the whole amount paid and the accrued profits will make; and any fractional amount shall remain to the credit of the stockholders, to be increased by the monthly payments and profits."

When and  
how scrip may  
be issued.

SEC. 3. That Section eight (8) of same Act be, and the same is hereby, repealed, and the following substituted therefor: "Section 8. The stock for which scrip has been issued shall be entitled to receive in dividends, semi-annually, the *pro rata* proportion of such profits as may be made, or the same shall be placed to the credit of the stockholder, on account of his monthly payments, until scrip has been issued for the whole number of shares originally subscribed, and then the monthly payments shall cease, and dividends shall be paid at such times, and of so much of the profits as the Directors may deem advisable for the interest of the bank."

Dividends,  
when and how  
made.

When monthly  
payments to  
cease.

SEC. 4. That Section nine (9) of said Act be, and the same is hereby, repealed, and the following substituted therefor: "Section 9. The said bank may, at any time, issue stock, paid up in full, to any person applying for the same, at not less than its par value in money; and it may, also, receive subscriptions to stock, to be paid up in monthly instalments, on such terms as will place the new subscriber on an equality with the original stockholders."

May issue  
paid up stock  
and receive  
subscriptions.

SEC. 5. That Section ten (10) of the said Act be so amended in the third line of said tenth Section, as printed, after the word "thereafter," by inserting the words "not less than;" and after the word "seven," in the third line of the said tenth Section of the said Act, as printed, by inserting the words "nor more than thirteen," so as to read "not less than seven nor more than thirteen Directors."

Number  
Directors. of

A. D. 1875.

SEC. 6. That this Act shall be in force from its passage, and continue in force for the time fixed by the Act to which this is an amendment.

Approved February 8, 1875.

No. 665. AN ACT TO INCORPORATE THE WINNSBORO BUILDING AND LOAN ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George H. McMaster, James Beaty, Samuel B. Clowney, T. Ross Robertson, Mac C. Robertson, together with such persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same, to their members and stockholders, by the name and style of the "Winnsboro Building and Loan Association." The capital stock of said association may consist of one thousand shares, but as soon as two hundred shares are subscribed thereto the said association may organize and commence operations, said shares to be paid by successive monthly instalments of one dollar on each share, so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures, for default in their payments, as the regulations and by-laws of the said association may prescribe.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded in any Court of this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws

May acquire  
and convey  
real estate.

Corporate  
name.

Capital stock.

General powers

of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

A. D. 1875.

SEC. 4. That the funds of the said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may from time to time be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged and conveyed to them in good faith, by way of security, upon its loans and advances, and may sell, alien, or otherwise dispose of the same, as they may from time to time deem expedient.

Investment  
of funds.

SEC. 5. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatever amount may be thus on hand to others than stockholders and members, for such time, and at such rates of interest, and on such securities as may be established by virtue of such rules and by-laws as may be made by such corporation.

When may  
loan out money

SEC. 6. The said corporation shall have the right, out of its profits, to declare and pay semi-annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Dividends.

SEC. 7. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however*, That in case the said corporation shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

Division and  
distribution of  
assets.

SEC. 8. This Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved February 19, 1875.



A. D. 1875.

No. 666.

AN ACT TO INCORPORATE THE HIBERNIA SAVINGS BANK, OF  
CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Moran, Bernard O'Neill, James Cosgrove, M. P. O'Connor, John F. O'Neill, Philip Fogarty, Edward Daly, George S. Addison, C. R. Cassidy, William Byrnes, D. A. J. Sullivan, James Armstrong, Thomas S. O'Brien, Michael McGorty, P. Brady, B. Callahan, R. Martin, John Burke, Henry F. Baker, John Kenny, M. Storen, William Maher, Alexander McLoy, James F. Redding, John H. Devereux, T. L. Quackenbush, Thomas C. Ryan, E. F. Sweegan, James Cantwell, James J. Grace, Henry J. Laurey, Gustavus Follin, P. Walsh, James F. Greene and James Kieley, be, and they are hereby, created a corporation, by the name and title of the Hibernia Savings Bank; and that they, and such others as shall be duly elected members of said corporation, as in this Act provided, shall be a body politic and corporate, by the same name and title.

SEC. 2. That the said corporation shall be capable of receiving on deposit, from any person or persons disposed to obtain and enjoy its advantages, all sums of money that may be offered for that purpose; and on receipt of any deposit, it shall deliver to the depositor a book, in which shall be entered all sums deposited.

SEC. 3. That all deposits of money received by said corporation may be invested in any public stock or bonds, created by virtue of any law of this State, or any Ordinance of the City of Charleston, or in the capital stock of any bank within this State, or in United States bonds or stocks, or bonds or stocks of any city or State in the United States, or in the stocks or bonds of any railroad company incorporated in this or any other State, or loaned on promissory notes secured by pledge of such stocks, at not more than seventy-five per centum of their par value, or on bonds secured by mortgage of real estate, lying and being within the city and County of Charleston; and the income and profit thereof shall be applied and divided among the persons making the said deposits, or their legal representatives, after making such reasonable deductions as may be necessary for expenses, in proportion to the sums by them deposited, and to the length of time during which such deposits may have remained in the bank, and the principal of such deposits shall be repaid to each depositor at such time and under such regulations as the said corporation shall prescribe, the substance of which regulations shall be printed in the book of deposit received by each depositor: *Provided*, That the corporators in the said cor-

poration shall be liable to the amount of their respective share or shares, deposit or deposits in said banking institution for all its debts and liabilities upon note, bill or otherwise: *And provided, further,* That no Director, or other officer of said corporation, shall borrow any money from said corporation; and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, they shall be punished by fine or imprisonment at the discretion of the Court.

A. D. 1875.

Liability of  
corporators.No Director  
to borrow from  
Bank.

SEC. 4. That the said corporation shall have power to elect new members by ballot at their semi-annual meetings in January and July of each year, and any member, upon filing a written notice with the President thereof three months prior, may, at any such meeting of said corporation, withdraw and forever dissolve his connection with the same.

New members.

SEC. 5. That the said corporation may have a common seal, which they may change and renew at pleasure, and that all deeds, conveyances and grants, covenants and agreements made by their Treasurer, or any other person, by their authority and direction, according to their rules, shall be good and valid, and the corporation shall at all times have power to sue and be sued, and may defend and shall be held to answer by the name and title aforesaid, and may acquire, take, hold and convey such real estate as may be deemed desirable for its place of business, or necessary for it to purchase in foreclosing or settling such mortgages as it may hold as security for loans.

General  
powers.

SEC. 6. That the said corporation shall hereafter meet at Charleston, some time in the month of January, annually, and as much oftener as they may deem expedient, and any seven members of the said corporation, the President, Vice President, Secretary or Treasurer being one, shall be a quorum, and the said corporation, at their annual meetings in January, shall have power to elect a President, Vice-President, Secretary and Treasurer, and twenty Trustees, all of which said officers shall be sworn to the faithful performance of their duties, and shall hold their offices, and manage and direct the affairs of the said corporation until their successors shall be duly elected and qualified.

Annual meet-  
ings.Election of  
officers.

SEC. 7. That the said corporation are hereby vested with the power of making by-laws and regulations for the more orderly managing the business of the corporation: *Provided,* The same are not repugnant to the Constitution and laws of this State.

Rules and re-  
gulations.

SEC. 8. That any two persons herein named may call the first meeting of the corporation by advertising it in any two of the daily papers published in the city of Charleston.

First meeting,  
how to be called.

A. D. 1875.

Treasurer to  
give bond.

SEC. 9. That the Treasurer of said corporation shall give bond to the satisfaction of the Trustees for the faithful discharge of the duties of his office.

Annual state-  
ment, what to  
contain.

SEC. 10. That the Treasurer of said corporation shall, as soon as may be after the annual meeting in January, publish in one or more of the daily papers of the city of Charleston a statement of the concerns of the said corporation, which statement shall specify the following particulars, namely: Number of depositors, total amount of deposits, amount invested in bank stock, amount invested in State or city stock, amount invested in United States bonds or stock, amount invested in railroad stocks or bonds, loans on mortgage of real estate, loans on notes secured by pledge of stock, amount of cash on hand, total dividends for the year, annual expenses of the corporation, all of which shall be certified and sworn to or affirmed by the Treasurer, and five or more of the Trustees of said corporation shall also certify that the same is correct, according to the best of their knowledge and belief.

SEC. 11. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved February 19, 1875.

No. 667. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT FOR THE BETTER PROTECTION OF LAND OWNERS, AND PERSONS RENTING LAND TO OTHERS FOR AGRICULTURAL PURPOSES, AND TO AMEND ACTS RELATING THERETO."

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act for the better protection of land owners and persons renting land to others for agricultural purposes, and to amend Acts relating thereto," be, and the same is hereby, amended by striking out, on line seventeen of said Section, after the word "of," the words "one-fourth," and inserting in lieu thereof the words "one-third."

"One-third"  
inserted in lieu  
of "one-  
fourth."

Approved February 19, 1875.

AN ACT TO PROHIBIT A CIRCUS, OR ANY OTHER SHOW TRAVELING IN CONNECTION THEREWITH, FROM EXHIBITING FOR GAIN WITHIN ANY COUNTY IN THIS STATE, WITHOUT HAVING FIRST OBTAINED A LICENSE FROM THE CLERK OF THE COURT OF SAID COUNTY.

A. D. 1875.  
No. 668.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any circus or other show traveling in connection therewith, and exhibiting for gain, shall, before exhibiting in any County in this State, obtain a license from the Clerk of the Court of said County in which said circus or other show is intended to exhibit, and shall pay to the said Clerk, for said license, one hundred dollars for each and every day said circus or other show shall be exhibited; and said Clerk shall forthwith pay over to the County Treasurer of said County all moneys by him received on account of said license, to be applied to the use of said County.

Circus and  
traveling  
shows to take  
out license.

License fee.

Revenue from  
licenses to be  
used for County  
purposes.

SEC. 2. Any person or persons, company or companies violating this statute shall, upon conviction in any Court of competent jurisdiction, be fined in the sum of two hundred dollars and all costs, and be imprisoned in the jail of said County not less than one month, nor more than three months, in the discretion of the Court.

Penalty for  
violating Sec-  
tion 1.

SEC. 3. Nothing herein contained shall be construed to prevent the municipal authorities of any incorporated city or town in this State from levying and collecting such fines or licenses as may be imposed by such municipal authorities.

Municipal au-  
thorities may  
require license.

Approved February 19, 1875.

AN ACT TO CONFIRM, ALTER AND MODIFY THE CHARTERS OF INCORPORATION OF "THE CAROLINA LUMBER MANUFACTURING COMPANY OF CHARLESTON, SOUTH CAROLINA," AND OF "THE TAYLOR IRON WORKS MANUFACTURING COMPANY OF CHARLESTON, SOUTH CAROLINA," ESTABLISHED UNDER THE ACT ENTITLED "AN ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS," APPROVED FEBRUARY THE 20TH, 1874. No. 669.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charters of the said "The Carolina Lumber Manufacturing Company of Charleston, South Carolina," a corporation established

Charter con-  
firmed.



A. D. 1875.

under the Act entitled "An Act to provide for granting of certain charters," for the purpose of the manufacture of agricultural implements within this State, and of "The Taylor Iron Works Manufacturing Company of Charleston, South Carolina," a corporation established under the said Act, for the purpose of the manufacture of iron within this State, be, and the same are hereby, confirmed, with the amendments hereinafter provided and set forth.

Rights, &c.,  
thereby con-  
ferred, con-  
firmed.

SEC. 2. That the said corporations, respectively, shall have all the rights and privileges conferred upon them by their charters, issued to them as hereinbefore mentioned.

Liability of  
shareholders.

SEC. 3. That every shareholder of the said companies, respectively, shall be individually liable for the debts contracted by the company of which he or she is a member, during the time he or she shall be a stockholder in said company, to the extent of ten per cent. of the par value of his or her shares in the same: *Provided*, That no person holding such stock, as collateral security, shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder, accordingly: *And provided, further*, That no stockholder shall be personally liable for the payment of any debt contracted by the said company, of which he or she is a stockholder, which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debt shall be brought against the said company of which he or she is a stockholder, within one year after the debt shall become due, and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt so contracted, unless the same shall be commenced within two years from the time he or she shall have ceased to be a stockholder in said company, nor until an execution against the said company shall have been returned unsatisfied, in whole or in part.

Entitled to  
benefits of cer-  
tain Act.

SEC. 4. That the objects, purposes, scope, intention and business of both the said companies being in accordance with the purpose, object, scope and intention of the Act entitled "An Act to aid and encourage manufactures," approved 20th December, 1873, and in acceptance by them, respectively, of the offer of the Legislature as contained in the said Act, the said corporations, respectively, be, and are hereby declared to be, and are entitled to the benefits, advantages and privileges of the said last mentioned Act.

Comptroller  
General to fix  
taxes and de-  
termine rebate.

SEC. 5. That whenever the said corporations, respectively, shall have prepared their tax returns for the present or any future year, showing all the taxable property of such corporations, respectively, and shall have exhibited the same to the Comptroller General of the State, and shall have furnished that officer with satisfactory

proof or evidence that the property or capital for which the benefits of the said last mentioned Act are claimed has been actually employed, paid in, or invested in this State, it shall be the duty of the Comptroller General to, and he shall forthwith, fix and determine the amount of taxes to be paid on the said returns respectively, and endorse or set down the same on the respective returns, and shall also fix and determine the rebate or reduction to be made therefrom, according to the provisions of Section 1 of the said Act, and deduct the same from the said respective aggregate sums of said taxes, and set down the balances on the said returns respectively; and that such balances of State and County taxes, respectively, and no more, shall be paid by the respective corporations to the County Treasurer for the State and County taxes, at the time required by law; and such balances of municipal, or town or city taxes, and no more, shall be paid to the treasurer of the municipal corporation, or town or city, at the time or times required by the by-laws or ordinances of the said municipal corporation, town or city to which the said tax returns may be made.

A. D. 1875.

What proportion of taxes, corporation to pay.

SEC. 6. That if either of the said corporations shall suspend their works for a continuous period of one year, at any time within the ten years mentioned in Section 5 of the said Act, the said corporation so suspending shall forfeit and pay the sum of two hundred dollars, for each and every such suspension, to be recovered in an action in the name of the State, and to be applied and used for school purposes exclusively.

Penalty for suspension.

SEC. 7. That this Act shall be deemed and taken as a public Act, and be taken notice of judicially, without being specially pleaded.

Approved February 23, 1875.

AN ACT TO REVIVE AND RENEW THE CHARTER OF THE No. 670.  
CHARLESTON CHAMBER OF COMMERCE.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Charleston Chamber of Commerce be, and the same is hereby, revived and renewed, for the term of fourteen years, and that all acts of the Charleston Chamber of Commerce, done in its corporate capacity since the expiration of its former charter, be, and the same are hereby, confirmed and declared as good and valid as if the former charter had not expired.

Charter renewed.

Acts previously done, valid, etc.

Approved February 23, 1875.

A. D. 1875. AN ACT TO CHANGE THE NAMES OF CERTAIN INDIVIDUALS  
 No. 671. HEREIN MENTIONED.

F. A. Tucker  
*et al.*, names  
 changed to  
 Priveat.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Franklin A. Tucker, Mary Jane D. Tucker, Elwell Tucker and Asa Wilson Tucker be changed to Franklin A. Priveat, Mary Jane D. Priveat, Elwell Priveat and Asa Wilson Priveat, and that they be declared the lawful heirs of Kinchen Priveat, of Chesterfield County, S. C.

Approved February 23, 1875.

No. 672. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SUMTER ACADEMICAL SOCIETY."

Corporators  
 may sell cer-  
 tain lot.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to incorporate the Sumter Academical Society," approved March 13, 1872, be, and the same is hereby, amended so as to read as follows: "That the corporators of the said Sumter Academical Society, named in the first Section of this Act, be, and they are hereby, authorized and empowered, for the benefit of the society herein incorporated, and for no other purposes, to sell and convey in fee the lot of land which was conveyed by the late J. B. Miller to certain trustees for educational purposes, of whom F. J. Moses, Sr., is the survivor, if in their judgment the purposes of this Act can be more fully carried out by such sale."

Approved February 23, 1875.

No. 673. AN ACT TO PROHIBIT THE RETAILING OF INTOXICATING LIQUORS WITHIN THREE MILES OF THE REIDVILLE HIGH SCHOOLS.

No liquor to  
 be sold within  
 three miles of  
 school.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the protection of the Reidville High Schools, in Spartanburg County, no person or persons shall be allowed to retail any intoxicating liquors within three miles of the said high schools; and every person and persons so retailing the same shall be, and they are hereby

made, subject to the pains and penalties now in force for selling the same without a license.

A. D. 1875.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and they are hereby, for the purposes of this Act, repealed.

Approved February 23, 1875.

AN ACT TO MAKE THE COUNTY COMMISSIONERS OF SPARTANBURG, PICKENS, OCONEE AND BEAUFORT COUNTIES, COMMISSIONERS OF HEALTH AND DRAINAGE. No. 674.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of the provisions, requirements and power conferred by an Act entitled "An Act to constitute the County Commissioners of Anderson County, Commissioners of Health and Drainage, and to define their powers and duties therein," approved March 14, 1874, be, and the same is hereby, extended, in each and every particular, and made applicable to the Counties and County Commissioners of Spartanburg, Pickens, Oconee and Beaufort, for the purposes in said Act designated: *Provided*, That in cases where the lands to be benefited by the drainage therein mentioned are located in different Counties, the County Commissioners of such Counties shall act conjointly in carrying out the provisions of the said Act; and their actions shall be binding upon the inhabitants of each County in which said lands are situated.

Certain duties conferred upon County Commissioners of Anderson to apply to other Counties.

Approved February 23, 1875.

AN ACT TO INCORPORATE THE TOWN OF RIDGEVILLE, IN THE COUNTY OF COLLETON. No. 675.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Ridgeville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Ridgeville, and its corporate limits shall extend one-half mile in every direction from the Depot of the South Carolina Railroad Company.

Corporators.

Corporate limits.



A. D. 1875.

Officers.

Election.

Electors.

Managers.

Invested with  
powers, &c.,  
conferred on  
town of  
Branchville.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town, on the first Monday in March, 1875, and on the same day of each year thereafter, five days' public notice thereof being previously given, and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Colleton County shall designate three suitable persons, citizens of said town, to act as Managers of Election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted and now governing the town of Branchville.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 23, 1875.

NO. 676. AN ACT TO CHANGE THE REGULAR DAY OF SHERIFF'S SALE IN  
BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the regular day of Sheriff's sale in and for the County of Beaufort shall be, and the same is hereby, changed from the first Monday to the first Tuesday in each month.

"Tuesday"  
inserted in  
lieu of "Mon-  
day."

SEC. 2. All Acts or parts of Acts, Resolutions or parts of Resolutions, conflicting with the provisions of this Act, are hereby repealed.

Approved February 23, 1875.

NO. 677. AN ACT TO INCORPORATE THE TOWN OF LEESVILLE, IN THE  
COUNTY OF LEXINGTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and

Corporate  
limits.

after the passage of this Act, all citizens of this State, who have resided thirty days in the town of Leesville, shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Leesville; and its corporate limits shall extend one-half mile from the depot of the Charlotte, Columbia and Augusta Railroad Company in a direction due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of the said town on the third Monday in April, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Lexington County shall designate three suitable persons, citizens of said town, to act as Managers of the election; and that the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved February 23, 1875.

A. D. 1875.

Officers.

Time of holding election.

Clerk of Court to appoint Managers.

Invested with rights conferred on town of Ninety-Six.

## AN ACT TO INCORPORATE THE UNION TELEGRAPH COMPANY. No. 678.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin F. Rawls, B. Dudley Culp, W. D. Humphries and William A. Nicholson, and all those who shall become stockholders in the company hereby incorporated, shall be a body politic and corporate, by the name of the Union Telegraph Company, and by that name shall have perpetual succession, and may have and use a com-

Corporators.

Corporate name.

A. D. 1875.

mon seal, and may sue or be sued in any Court of competent jurisdiction.

Route.

SEC. 2. Such corporation is authorized to construct lines of telegraph along, over, under and beside the Spartanburg and Union Railroad and any of the public roads and highways, and under and across any of the waters within the limits of this State, or so much or so many of the foregoing as may be deemed expedient, by establishing suitable offices and the erection of the necessary cords or wires and fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines between the termini of said railroad or any intermediate places.

Capital stock.

SEC. 3. The capital stock of such corporation shall be twenty-eight hundred dollars, to be divided into one hundred and twelve shares of twenty-five dollars each. Books of subscription shall be opened to obtain the amount of stock above named by the persons named in the first Section of this Act, at Union Court House, at any time within one month after the approval of this Act.

Invested with  
rights, &c.,  
conferred on  
Continental  
Telegraph  
Company.

SEC. 4. Such corporation shall have, possess and enjoy the same rights, powers and privileges as are, or were, held and enjoyed by the Continental Telegraph Company by and under an Act of the General Assembly of this State entitled "An Act to incorporate the Continental Telegraph Company," approved the seventh day of March, one thousand eight hundred and seventy-one.

Approved February 23, 1875.

# No. 679. AN ACT TO INCORPORATE THE UNION BUILDING AND LOAN ASSOCIATION, OF UNION.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. D. Culp, H. L. Goss, A. H. Foster, J. N. Moore, John Rodger, James B. Steadman, William Munro, S. M. Rice, James Grant, A. D. Spears, F. M. Farr, John L. Young and F. H. Counts, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Union Building and Loan Association."

Objects of  
corporation.

Corporate  
name.

Capital stock.

SEC. 2. The capital stock of said association may consist of one thousand shares, but as soon as one hundred and fifty shares are

subscribed thereto the said association may organize and commence operations; said shares to be paid by successive monthly instalments of one dollar on each share as long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments as the regulations and by-laws of the association may prescribe.

SEC. 3. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government, and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded in any Court in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies according to the laws of the land.

SEC. 4. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

SEC. 5. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders on such terms, and under such conditions, and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they may, from time to time, deem expedient.

SEC. 6. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled for, the corporation shall have power to lend whatsoever amount may be thus on hand to others than stockholders and members for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

SEC. 7. That said corporation shall have the right, out of its pro-

A. D. 1875.

General powers.

May hold and convey real estate.

Investment of funds.

When may loan out moneys on hand.



A. D. 1875.

Dividends.

fits, to declare and pay semi-annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Division and  
distribution of  
assets,

SEC. 8. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that upon a fair division thereof each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however,* That in case the said corporation shall not have closed its operations and affairs as above provided for, within a shorter period, then this Act shall not continue in force beyond ten years.

SEC. 9. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved February 23, 1875.

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NO. 680. AN ACT TO ENABLE C. C. TRACY TO APPLY FOR ADMISSION TO THE BAR.

C. C. Tracy  
enabled to  
practice law.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. C. Tracy, a minor, under the age of twenty-one years, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina, to persons applying for permission to practice as attorney at law.

Approved February 23, 1875.

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NO. 681. AN ACT TO EXTEND THE TIME FOR THE COUNTY SCHOOL COMMISSIONER OF CHARLESTON COUNTY TO QUALIFY.

Time for  
qualification  
extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Charleston County, elected at the recent election, be, and he is hereby, allowed twenty days from the passage of this Act to qualify and enter upon the duties of his office, and on his failure to qualify within the time specified, the office shall be de-

clared vacant by the Governor, and he shall order a new election, as is prescribed by law.

A. D. 1875.

SEC. 2. That on the demand of the said School Commissioner elect, he having qualified in pursuance with the provisions of Section 1 of this Act, the present incumbent shall turn over to him all books, papers and other matters pertaining to the office, and on his failure to do so, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, he shall be fined in a sum not exceeding one thousand dollars, or imprisoned not exceeding one year in the Penitentiary, or both, at the discretion of the Court.

Late Commissioner to turn over books and papers.

SEC. 3. That this Act shall take effect immediately after its passage.

Approved February 23, 1875.

AN ACT TO RE-CHARTER THE BOARD OF DIRECTORS OF THE THEOLOGICAL SEMINARY OF THE SYNOD OF SOUTH CAROLINA AND GEORGIA.

No. 682.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia be, and the same is hereby, renewed and extended for twenty-one years from the ratification of this Act, with all the powers, privileges and conditions heretofore, by the Act of incorporation, conferred upon the said body corporate, with ability, power and capacity to receive, hold and enjoy property, real and personal, to the amount of three hundred thousand dollars.

Charter renewed and extended.

Powers and privileges.

SEC. 2. That this Act is hereby declared to be a public Act.

Approved February 23, 1875.

AN ACT TO REGULATE THE PRACTICE OF DENTISTRY AND PROTECT THE PEOPLE AGAINST EMPIRICISM IN RELATION THERETO, IN THE STATE OF SOUTH CAROLINA.

No. 683.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be unlawful for any person or persons to engage in the practice of dentistry in the State

Qualification necessary to practice.

A. D. 1875.

of South Carolina, unless said person or persons shall have received a diploma from the faculty of some dental college, duly incorporated under the laws of this or some other State of the United States, or foreign Government, in which is annually delivered, in good faith, a full course of lectures and instructions in dentistry, or shall have obtained a license from a Board of Dentists, duly authorized and appointed by this Act to issue such license.

SEC. 2. It shall be the duty of the South Carolina State Dental Association, at the next annual meeting thereof after the passage of

Board of  
Examiners.

this Act, to elect a Board of Examiners, to consist of five members, to be known by the title of the Board of Dental Examiners in the State of South Carolina. The members of this Board shall, at the

Term of office.

first election, be elected for terms of one, two, three, four and five years, respectively, or until their successors shall have been elected.

And it shall be the duty of the South Carolina State Dental Association, at each subsequent annual meeting thereof, to elect a person for the term of five years to fill the place of the member of the Board whose term of office shall at that time expire, and also to fill such vacancies in the Board as may have occurred during the year.

Vacancies.

And if at any regular meeting of the Board, any member or members shall fail to be present, the South Carolina State Dental Association may, at its discretion, declare the office of such absentee to be vacated, and may proceed to elect a new member or members for the unexpired term of such person or persons, or it may elect a member or members to fill, temporarily, the place or places of such absentees.

Organization  
of Board.

This Board shall be organized by the election of a President and a Secretary.

Meetings.

SEC. 3. It shall be the duty of the Board of Examiners to meet annually at the time and place of meeting of the South Carolina State Dental Association, giving thirty days' notice in the public newspapers published in not less than three different places in the State, viz: one in Charleston, one in Columbia, and one in Greenville, of such annual meeting. Secondly, to prescribe a course of reading for those who study dentistry under private instructions. Thirdly, to grant a license to any applicant who shall furnish satisfactory evidence of having graduated, and received a diploma from any incorporated dental college in good standing with the profession, without fee, charge or examination. Fourthly, to grant licenses to all other applicants who undergo a satisfactory examination. Fifthly, to keep a book in which shall be registered all persons licensed to practice dentistry in the State of South Carolina. The expenses of said license shall be fifteen dollars, to be paid by the licensee. And that all persons who do now hold, or may hereafter hold, a license to practice dentistry in this State shall become a

Duties.

member of the South Carolina State Dental Association immediately upon the obtaining of said license: *Provided*, He shall be allowed to waive his right of membership.

A. D. 1875.  
Proviso.

SEC. 4. That the books so kept shall be a book of record, and a transcript from it, certified by the officer who has it in keeping, with the common seal, shall be evidence in any Court of the State.

SEC. 5. That three members of said Board shall constitute a quorum for the transaction of business, and should a quorum not be present on the day appointed for their meeting, those present may adjourn from day to day until a quorum is present.

Quorum.

SEC. 6. That one member of said Board may grant a license to an applicant to practice until the next regular meeting of the Board, when he shall report the fact, at which time the temporary license shall expire; but such temporary license shall not be granted by a member of the Board after the Board has rejected the applicant.

License to practice.

SEC. 7. That every dentist in this State be required to keep a record of all cases treated in his practice, in accordance with a form to be designated by the South Carolina State Dental Association, and furnish his patient with a copy of the same, if so desired by the patient.

Dentists to keep record of cases treated.

SEC. 8. That any person who shall, in violation of this Act, practice dentistry in the State of South Carolina for fee or reward shall be liable to indictment, and on conviction shall be fined not less than fifty or more than three hundred dollars: *Provided*, That nothing in this Act shall be so construed as to prevent any person from extracting teeth.

Penalty for violation of Act.

SEC. 9. That on trial of such indictment it shall be incumbent on the defendant to show that he has authority under the law to practice dentistry to exempt himself from such penalty.

SEC. 10. That all fines collected shall inure to the educational fund of the County where the offender resides.

Fines.

SEC. 11. That those who have been in the regular practice of dentistry in the State prior to the passage of this Act are exempt from the provisions of the same, except Section 7 of this Act.

Certain persons exempted.

SEC. 12. That the South Carolina State Dental Association is hereby made a body politic and corporate, shall have and use a common seal, sue and be sued, plead and be impleaded, and be empowered to make all necessary by-laws not inconsistent with the State laws and Constitution.

Corporate powers.

SEC. 13. That this Act shall continue in force until repealed.

Approved February 23, 1875.



A. D. 1875.

No. 684.

## AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF CHESTERFIELD.

Corporate limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the first Section of an Act entitled "An Act to incorporate the town of Chesterfield," approved the 5th day of February, 1872, be altered and amended to read as follows, viz: That the persons residing within the area of three-fourths of a mile from the Court House, in the County of Chesterfield, in the direction of east and west from the said Court House, and including one-fourth of a mile in the direction of north from said Court House, and one-half of a mile in the direction of south from said Court House, embracing an area of one and one-half of a mile in length, east and west, and three-fourths of a mile north and south, be, and the same are hereby, created a body corporate, under the name of the town of Chesterfield, with the officers the same in number, and having the same powers and privileges, and subject, in every respect, to the provisions of the charter granted to the town of Manning, by an Act incorporating the said town of Manning, approved the 9th day of March, 1871.

Invested with rights, &amp;c., conferred on town of Manning.

SEC. 2. That this Act shall be taken and deemed a public Act, and shall continue in force until amended or repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 23, 1875.

No. 685. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF COLUMBIA.

Governor to appoint.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, four Trial Justices for the city of Columbia, and no more, to hold their offices for the term of two years, unless sooner removed according to law: *Provided*, That during the recess of the Senate the Governor may appoint either one or all of said Trial Justices, to hold their offices, unless removed by him, till the end of the next session of the Legislature, when the appointment shall cease, unless confirmed by the Senate. If a vacancy occurs during the session of the

Proviso.

Vacancies.

Legislature, it shall be filled only by the advice and consent of the Senate.

A. D. 1875.

SEC. 2. That the Trial Justices appointed for the city of Columbia shall reside in said city, and keep their offices there, which shall be open from day to day for the transaction of business: *Provided*, That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: One for Ward 1, one for Ward 2, one for Ward 3 and one for Ward 4; and shall have their offices located in a central location, convenient to the people of the wards for which they are appointed.

Trial Justices  
to reside in the  
city.

*Proviso.*

SEC. 3. That instead of the fees heretofore allowed by law for the Trial Justices in the city of Columbia, they shall each be allowed a salary of eight hundred dollars per annum, payable quarterly, on the first days of January, April, July and October, by the County Treasurer of Richland County, out of the County funds, and that all fees taxed and recovered in criminal causes in the Courts of said Trial Justices shall be forthwith turned over to the County Treasurer for the County of Richland; and the said Trial Justices shall make to the Judge of the Fifth Circuit a monthly report of all fees, fines and costs recovered or collected by them during the said month.

Fees.

How to be  
paid.

To make re-  
port.

SEC. 4. That all appointments of Trial Justices, resident within the city of Columbia, heretofore made, shall cease and determine on and after the first day of April next, and the Trial Justices provided for in this Act shall enter upon their duties upon that day.

Appointments  
heretofore  
made to cease.

SEC. 5. That the Trial Justices appointed for the city of Columbia may each appoint two Constables, and no more, to serve the processes of their respective Courts, removable at pleasure; the Constables so appointed shall receive a salary of three hundred dollars per annum, to be paid at the times provided for in Section 3 of this Act.

May appoint  
Constables.

SEC. 6. That if either of the Trial Justices appointed for the city of Columbia shall neglect to attend to the duties of their offices, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction, shall be liable to imprisonment for two years, or a fine of one thousand dollars, or both, within the discretion of the Court.

Failure to  
attend to du-  
ties.

Penalty  
therefor.

Approved February 23, 1875.

A. D. 1875.

No. 686.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE TRUSTEES OF THE REIDVILLE HIGH SCHOOL, AND TO RENEW THE SAME."

Charter  
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate Trustees of the Reidville High School" be, and the same is hereby, amended, by striking out the words "limited to thirty in number," in the first line thereof, and the words "twenty or," in the third line of said Section.

SEC. 2. That Section 3 of the said Act be, and the same is hereby, amended, by striking out the words "of ten each," in the first line thereof, and by adding at the end of the said Section the following words, to wit: "And each class hereafter to be appointed shall consist of five in number."

SEC. 3. That the said Act be, and the same is hereby, renewed for the term of twenty-five years, from the date therein mentioned for its continuance of force.

Approved February 24, 1875.

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No. 687. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO CHANGE THE COURSE OF THE MARKET ROAD, KNOWN AS THE RIVER ROAD, IN SAID COUNTY."

Act changing  
course of Mar-  
ket Road re-  
pealed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize the County Commissioners of Lexington County to change the course of the Market Road, known as the River Road, in said County," be, and the same is hereby, repealed.

Approved March 2, 1875.

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No. 688. AN ACT TO INCORPORATE THE TOWN OF GAFFNEY CITY, IN THE COUNTY OF SPARTANBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

and after the passage of this Act all citizens of this State who have resided thirty days in the town of Gaffney City, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Gaffney City, and its corporate limits shall extend one-half mile from the intersection of Church and Grainard streets, in all directions, and shall include a square formed upon the extremities of lines so drawn.

A. D. 1875.

Corporators.

Corporate limits.

Officers.

Electors.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of this State, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of said town, on the fourth Monday in March, 1875, and on the same day in every year thereafter, ten days' public notice thereof being previously given, and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens.

SEC. 3. That said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Lewisville, South Carolina, by an Act entitled "An Act to incorporate the town of Lewisville, S. C.," approved February 28, 1872.

Invested with rights, &amp;c., conferred by charter on town of Lewisville.

SEC. 4. This Act shall be deemed a public Act, and continue in force for the term of twenty-one years.

Approved March 3, 1875.

AN ACT TO ALTER AND AMEND AN ACT ENTITLED "AN ACT TO RENEW THE CHARTER OF THE SAND BAR FERRY, ACROSS THE SAVANNAH RIVER," AND TO FIX THE RATES OF TOLL OF SAID FERRY. No. 689.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to renew the charter of the Sand Bar Ferry, across the Savannah River," which is certified by H. E. Hayne, Secretary of State, December 8, 1873, to have become a law without the approval of the Governor, be, and the same is hereby, altered and amended so as to read as follows: "That the Sand Bar Ferry across the Savannah River be, and the same is hereby, re-chartered, with the following rates of ferriage: For every four wheel carriage

Charter amended.



A. D. 1875.

Rates of toll.

drawn by four or more horses, mules, oxen, or other animals, (except stage coaches,) seventy-five cents; for the same drawn by three horses, mules, oxen or other animals, sixty cents; for the same drawn by two horses, mules, oxen or other animals, forty cents; for the same drawn by one horse, mule, ox or other animal, thirty cents; for every other four wheel vehicle drawn by six or more horses, mules, oxen or other animals, sixty cents; for the same drawn by five horses, mules, oxen or other animals, fifty cents; for the same drawn by four horses, mules, oxen or other animals, forty cents; for the same drawn by three horses, mules, oxen or other animals, thirty cents; for every two wheel carriage drawn by two horses, mules, oxen or other animals, thirty cents; for the same drawn by one horse, mule, ox or other animal, twenty cents; for every other vehicle, twenty cents; for every person on horseback, or leading or driving a horse or mule, ten cents; for every lead horse or mule, accompanied by a person on horseback, five cents; for every horse or mule in a drove, three cents; for every head of cattle, three cents; for every sheep, hog or goat, two cents; for every animal for show, in addition to the carriage in which he may be conveyed, forty cents; for every foot passenger crossing, five cents. That all the rights, privileges and franchises incident to the said Sand Bar Ferry be, and are hereby, vested in Jonathan M. Miller, his heirs and assigns: *Provided, however,* That all ministers of the Gospel, voters going to and from election, children crossing and re-crossing for the purpose of attending school, are hereby allowed to pass free of toll over said ferry.

Charter, in whom vested.

Exemptions.

Penalty for unnecessary delay to passengers.

SEC. 2. That if any person shall meet with any unnecessary delay at the said Sand Bar Ferry in crossing, every such person or persons may recover from the owners of the same the sum of ten dollars for every hour he shall have been so unnecessarily detained, to be recovered by civil action on application from the party or parties aggrieved to any Trial Justice.

SEC. 3. This Act shall continue in force for the term of fourteen years.

Approved March 3, 1875.

No. 690.

AN ACT TO FACILITATE AND SAVE EXPENSES IN APPEALS.

When statement of case may constitute brief.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon appeals to the Supreme Court, in case the attorney for the appellant

and respondent shall agree upon a statement of the case as prepared by them for the hearing of the Supreme Court, such statement of the case shall be a sufficient brief of the same, and no return or other paper from the Circuit Court shall be required.

A. D. 1875.

SEC. 2. That upon the transmission of a certified copy of such agreement to the Clerk of the Appellate Court, within the time now required by law, he shall place said cause on the docket for a hearing by said Court.

Clerk on receipt of agreement to place cause on docket.

Approved March 5, 1875.

AN ACT DIRECTING THE MANNER IN WHICH THE COUNTY TREASURER OF PICKENS COUNTY SHALL PAY THE PAST INDEBTEDNESS OF SAID COUNTY.

No. 691.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Pickens County be, and he is hereby, directed, in paying the past indebtedness of said County, to pay the orders drawn by the County Commissioners of said County according to their dates, beginning with the oldest first and continuing from year to year until the tax collected exclusively for that purpose shall be exhausted, or until the entire debt of said County shall be liquidated.

County orders payable according to date.

Approved March 5, 1875.

AN ACT TO REQUIRE ALL TRIAL JUSTICES TO EXHIBIT ALL ORIGINAL PAPERS TO THE COUNTY COMMISSIONERS BEFORE OR AT THE TIME SAID COMMISSIONERS AUDIT THEIR ACCOUNTS, AND FOR OTHER PURPOSES.

No. 692.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the County Commissioners of the several Counties of this State, in auditing the accounts of Trial Justices, to require them to exhibit with the bill of costs all the original papers in each case in which said costs have accrued, and that no bill of costs, against any County in this State, shall be allowed by any Board of County Commissioners unless accompanied by the original papers in each case mentioned in the bill or account.

Trial Justices to exhibit original papers with bill of costs.

A. D. 1875.

County Commissioners to return same after examination.

Trial Justices to furnish itemized account of costs.

SEC. 2. That the County Commissioners, after examining the original papers of any Trial Justices, shall return them to him without delay.

SEC. 3. That it shall be the right of any person, before paying any costs in any Trial Justice's Court, to demand from said Trial Justice an itemized account of such costs; said account shall be receipted by the said Trial Justice at the time said costs are paid, and no person shall be compelled to pay any costs in any Trial Justice's Court unless the Trial Justice shall furnish to such person said itemized account.

Approved March 5, 1875.

NO. 693. AN ACT DIRECTING AND REQUIRING THE PUBLICATION OF MONTHLY STATEMENTS BY THE STATE TREASURER.

State Treasurer to publish monthly statements.

What to contain.

Penalty for neglect or failure.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, directed and required, on the first Monday of every month after the passage of this Act, to publish, in one daily newspaper published in the city of Columbia and in one daily newspaper published in the city of Charleston, a statement of all moneys received by him during the preceding month, from whom, and on what account; of all moneys paid out by him during the preceding month, to whom, and on what account; and of the balances in the Treasury to the credit of the several funds for which taxes are levied and collected, or for which any other collections are made.

SEC. 2. That the neglect or failure of the State Treasurer to comply with the direction and requirement of Section 1 of this Act shall be deemed a misdemeanor, and on conviction thereof he shall, for each offense, be sentenced to a fine of not less than one thousand dollars, or to imprisonment for not less than one year, nor more than five years, in the State Penitentiary, or both, at the discretion of the Court.

Appropriation to pay for same.

SEC. 3. That the sum of five hundred dollars, if so much be necessary, be, and the same is hereby, appropriated to the payment of the expenses of such publication, which shall not exceed the usual charges of such newspapers for advertising, and the accounts thereof shall be audited by the Comptroller General, and paid by the State Treasurer out of any moneys collected for interest on deposits of the public funds.

Approved March 5, 1875.

AN ACT TO DECLARE AND PROTECT THE RIGHTS OF MARRIED  
WOMEN AND CHILDREN, UNDER POLICIES OF LIFE INSURANCE  
TAKEN OUT FOR THEIR BENEFIT.

A. D. 1875.

No. 694.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a policy of insurance upon the life of any person which has already, or may hereafter, be taken out, in which it is expressed to be for the benefit of any married woman, or for the benefit of herself and her children, or for the benefit of herself and the children of her husband, whether procured by herself or her husband, shall inure to the use and benefit of the person or persons for whose use and benefit it is expressed to be taken out; and the sum or net amount of the insurance becoming due and payable by the terms of the policy shall be payable to the person or persons for whose use and benefit it shall be expressed to be taken, free and discharged from the claims of the representatives of the husband, or of any of his creditors, or any party or parties claiming by, through, or under him or them, or either of them: *Provided, however,* That if the premium paid in any one year, out of the property or funds of the husband, shall exceed the sum of five hundred dollars, the exemption from the claims of the creditors of the husband shall not apply to so much of said premium so paid as shall be in excess of five hundred dollars, but such excess, with the interest thereon, or so much thereof as may be necessary, shall inure to the benefit of such creditors, if any: *Provided,* The same be necessary for their payment.

Policy of in-  
surance, to  
whose benefit  
to inure.

To whom  
payable.

Not subject  
to claims of  
creditors.

When said  
exemption not  
to apply.

Approved March 5, 1875.

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX IN YORK  
AND CHESTER COUNTIES TO RETIRE THE BONDS ISSUED BY  
SAID COUNTIES IN AID OF THE CHESTER AND LENOIR NARROW  
GAUGE RAILROAD COMPANY, AND FOR OTHER PURPOSES RE-  
LATING THERETO.

No. 695.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of York and Chester Counties are hereby authorized and directed, annually, to levy a special tax upon all the taxable property of said Counties of one and one-half mills, if so much be found necessary, for the purpose of raising, annually,

Special tax to  
retire bonds of  
Chester and  
Lenoir Rail-  
road.



A. D. 1875.

the sum of five thousand (5,000) dollars, to be used exclusively in paying and retiring bonds, with the coupons attached, of York and Chester Counties, issued by the County Commissioners of said Counties in aid of the construction of the Chester and Lenoir Narrow Gauge Railroad; said levy to be made by said Commissioners and collected by the County Treasurers of York and Chester Counties, in addition to the amount now required and collected to pay the annual interest accruing on said bonds.

Bonds to be  
purchased at  
lowest price.

SEC. 2. That the County Commissioners of York and Chester Counties be required to give public notice, through the newspapers of said Counties, for three successive weeks prior to the first day of March of each year, naming a day as early as practicable thereafter, upon which day, at their offices in said Counties, they will purchase, at the lowest prices at which they are offered, the bonds, with coupons attached, that have been issued in aid of the construction of said railroad, to the extent of the amount levied and collected under this Act.

Proceeds of  
tax, on whose  
order payable,  
and in whose  
favor.

SEC. 3. It shall be the duty of the Treasurers of York and Chester Counties to pay out the amount levied and collected under the first Section of this Act on or before the first day of June of each year, upon the written order or warrant of the County Commissioners of York and Chester Counties, in favor of the respective persons from whom said County Commissioners shall have purchased bonds and coupons attached, under the second Section of this Act.

County Com-  
missioners to  
keep register.

What to con-  
tain.

To cancel and  
deliver bonds  
to Clerk of  
Court.

SEC. 4. That so soon as the County Commissioners shall have purchased the bonds with coupons attached as aforesaid, they shall, in the presence of the Clerks of the Court of said Counties, register in a separate book, to be kept by said Commissioners, for public inspection, the date of purchase, the amount paid for each bond, as also the number and amount of each bond, with number of coupons attached, and the names of persons from whom said bonds were purchased, and so soon as said registry has been made the County Commissioners, in the presence of said Clerks of the Court, shall proceed to cancel each bond, with the coupons attached, so purchased and registered, and deliver and transfer the bonds and coupons so purchased and registered to the Clerk of the Court, taking his official receipt for the same, stating the number and amount of bonds and coupons.

Clerk of  
Court to keep  
similar regis-  
ter.

SEC. 5. It shall be the duty of the Clerks of the Court for York and Chester Counties to provide a book, to be kept in their respective offices for public inspection, in which they shall make entries similar to those required to be made by the County Commissioners in reference to the cancelled bonds and coupons aforesaid delivered to them by said Commissioners; and said Clerks shall be held re-

sponsible for the custody of said cancelled bonds and coupons aforesaid.

A. D. 1875.

SEC. 6. It shall be the duty of the Treasurers of York and Chester Counties, upon the demand of the County Commissioners of said Counties, to deliver to said Commissioners the coupons of the aforesaid bonds heretofore received by them, or which may hereafter be received, upon said County Commissioners giving to said Treasurers a receipt expressing the number and amount of said coupons. That upon receiving said coupons said County Commissioners shall register, cancel and deliver the same to the Clerks of the Court, and the Clerks of the Court shall register and safely keep the same, as provided under the third and fourth Sections of this Act.

County Treasurer to deliver coupons to County Commissioners.

The same to be cancelled and delivered to Clerk of Court.

SEC. 7. That this Act shall remain in force until all the bonds, together with the coupons, issued by the County Commissioners of York and Chester Counties, in aid of the construction of the Chester and Lenoir Narrow Gauge Railroad, have been retired and cancelled under the provisions of the foregoing Act.

Act to remain in force until bonds are retired.

Approved March 5, 1875.

AN ACT TO REPEAL CHAPTER CXXV OF THE GENERAL STATUTES OF SOUTH CAROLINA RELATIVE TO THE PUBLICATION OF LEGAL NOTICES.

No. 696.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter CXXV of the General Statutes of South Carolina be, and the same is hereby, repealed.

Chapter CXXV repealed.

Approved March 5, 1875.

AN ACT TO PROVIDE FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF UNION COUNTY.

No. 697.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Union County be, and they are hereby, authorized to apply, annually, the proceeds of two mills of the County tax for County purposes to the payment of the past indebtedness of said County until said indebtedness be satisfied: *Provided*,

Appropriation for past indebtedness.

A. D. 1875. That such payments shall be made to the holders of said debts *pro rata*.  
How payable.

Special tax of two mills to meet said appropriation.

SEC. 2. That, for the purpose of making said payments, the County Commissioners of Union County be, and they are hereby, authorized to cause to be levied and collected, at the same time, and in the same manner, as the general tax is levied and collected for the fiscal year commencing November 1st, A. D. 1875, a special tax of two mills upon the dollar on all the taxable property of the said County.

Approved March 8, 1875.

No. 698. AN ACT TO ALTER AND AMEND THE CODE OF PROCEDURE, BEING TITLE V, PART III, OF THE GENERAL STATUTES.

Code of Procedure amended.

Sub-division 1 stricken out.

Relative to jurisdiction of Supreme Court.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Code of Procedure, being Title V, Part III, of the General Statutes, be, and the same is hereby, amended in the several Sections thereof as is hereinafter provided: In Section 11 strike out sub-division one (1) and insert the following in place thereof: "1. Any intermediate judgment, order or decree, involving the merits in actions commenced in the Court of Common Pleas and General Sessions, brought there by original process, or removed there from any inferior Court or jurisdiction, and final judgment in such actions: *Provided*, If no appeal be taken until final judgment is entered, the Court may, upon appeal from such final judgment, review any intermediate order or decree necessarily affecting the judgment not before appealed from." In sub-division two (2) of the same Section, after the word "trial," in the fourth line, insert the following words: "Or when such order strikes out an answer, or any part thereof, or any pleading in an action."

Section 41 amended.

How and when Probate Judge may order sale of real estate of deceased debtor.

SEC. 2. Add to Section 41 the following words: "And whenever it shall appear to the satisfaction of any Judge of Probate that the personal estate of any person deceased is insufficient for the payment of his debts, and all persons interested in such estate being first summoned before him, and showing no cause to the contrary, such Judge of Probate shall have power to order the sale of the real estate of such person deceased, or of so much thereof as may be necessary for the payment of the debts of such deceased person, upon such terms and in such manner as he may think best, may grant orders of injunction to stay actions or proceedings against the executors or administrators of such deceased person, and such other



orders as may be necessary to secure the marshaling and administering the assets of such deceased person. All proceedings under this Section to be by summons and complaint, wherein the time for answering, manner of service, &c., shall conform, as near as may be, to the form and practice in the Courts of Common Pleas of this State."

SEC. 3. In Section 52, strike out the words "first Section," in line one, and insert in place thereof the words "thirty-fifth Section," and in Section 57 strike out the words "Clerk's Office," in the fifth line, and insert in place thereof the words "office of the Probate Court."

A. D. 1875.

How such proceedings to be instituted.

In Section 52, "thirty-fifth" inserted in lieu of "first."

In Section 57, "office of Probate Court" inserted in lieu of "Clerk's office."

Section 58 stricken out.

Section 81, subdivision 4, stricken out.

Section 91 amended relative to time of serving complaints.

When process may be returnable at discretion of Trial Justice.

SEC. 4. Strike out Section fifty-eight (58).

SEC. 5. Strike out sub-division four (4) of Section eighty-one (81).

SEC. 6. In Section 91, add the following words, as sub-division sixteen: "Where more than twenty-five dollars is demanded in a complaint, the same shall be served on the defendant twenty days, and where less than that sum is demanded, five days before the day therein fixed for trial: *Provided*, That if the plaintiff shall make out that he is apprehensive of losing his debt by such delay, and the Trial Justice considers that there is good reason therefor, (the ground of such apprehension being set forth in an affidavit, and served with a copy of the complaint,) he may make such process returnable in such time as the justice of the case may require."

SEC. 7. In Section 98, strike out the words "forty years," where they occur in the fourth and eighth lines, and insert in the place thereof the words "twenty years," and in Section 100, one hundred and one, (101,) one hundred and two, (102,) one hundred and three, (103,) one hundred and four, (104,) one hundred and five, (105,) and one hundred and nine, (109,) strike out the words "twenty years," wherever they occur, and insert the words "ten years" in the place thereof. In Section one hundred and eleven, (111,) strike out the words "twenty years," in the twelfth line, and insert the words "ten years" in place thereof, and on the same line strike out the word "ten" and insert "five" in the place thereof.

In Section 98, "twenty years" inserted in lieu of "forty years."

In Section 100 to 105 and 109, "ten years" inserted in lieu of "twenty years."

In Section 111, "ten years" inserted in lieu of "twenty years" also, "five" in lieu of "ten."

SEC. 8. In Section one hundred and thirteen, add to sub-division two the following words: "Other than sealed notes and personal bonds, for the payment of money only, whereof the period of limitation shall be the same as prescribed in the following Section."

Sub-division 2 of Section 111 amended relative to period of limitation of sealed notes, &c.

SEC. 9. In Section one hundred and fifty-seven, add to sub-division four (4) the following words: "If the said defendant is a resident of the State, but is temporarily absent therefrom, to any person over twenty-one years of age residing at the residence or employed at the place of business of said absent person."

Sub-division 4, Section 157, amended relative to service of summons.

SEC. 10. In Section one hundred and fifty-eight, (158,) after the



A. D. 1875.

Section 158  
amended rela-  
tive to service  
of summons by  
publication in  
case of minors.

Proof of ser-  
vice, how to be  
made.

Service of sum-  
mons upon per-  
sons in Asylum  
or Penitentiary,  
&c.

Court to ap-  
point guardian  
*ad litem*.

"One news-  
paper" insert-  
ed in lieu of  
"two newspa-  
pers."

Section 232  
amended.

When party  
in possession  
may retain  
property.

Section 274  
amended.

When issues  
of law and fact  
may be tried  
together.

words "post office," on line thirty-two, add the following words:  
 "In cases of minors who cannot be found within the State, the like  
 order for publication shall be made, and the summons published in  
 a newspaper to be designated in the order. In addition to the pub-  
 lication so to be made, the summons and complaint shall be per-  
 sonally served by delivery of a copy thereof to such minor; and if  
 under the age of fourteen years, also to his or her father, mother or  
 guardian, or if there be none such, at the place of his or her resi-  
 dence, to any person having the care and control of such minor, or  
 with whom he or she shall reside, or in whose service he or she shall be  
 employed, unless it is made to appear to the Court or Judge that  
 the place of residence is not known to the party making the appli-  
 cation, and cannot, with reasonable diligence, be ascertained by  
 him. Proof of such personal service shall be made by affidavit of  
 the party delivering the copy summons and complaint properly  
 authenticated. In case of persons imprisoned in the penitentiary,  
 or in the jail of any County in this State, and in case of lunatics  
 confined in the Asylum, or in any other place of confinement, per-  
 sonal service of the summons and complaint, or other process affect-  
 ing the rights of such persons, shall be made by the Sheriff of the  
 County in which such persons shall be imprisoned or confined, with  
 the like proof of service as required in case of minors, and there-  
 upon the Judge of the Court, or the Trial Justice before whom the  
 action is to be tried, shall appoint some attorney or other competent  
 person to act as guardian *ad litem* for any persons so imprisoned or  
 confined, who shall receive out of the property of such persons a  
 reasonable compensation for services rendered in their behalf; and  
 the case shall proceed as in other cases of persons not under disa-  
 bility: *Provided*, That in case of persons imprisoned or confined,  
 as herein stated, beyond the limits of this State, service by publica-  
 tion shall be deemed sufficient." That the same Section shall be  
 amended by striking out the words "two newspapers," in line  
 twenty-two, and inserting the words "one newspaper" in place  
 thereof.

SEC. 11. That Section two hundred and thirty-two be amended  
 by adding thereto the following words: "In case the plaintiff does  
 not execute the required undertaking, the party having possession  
 of the property shall retain the same until the determination of the  
 suit."

SEC. 12. Strike out the last sixteen words of Section two hundred  
 and seventy-four and insert in place thereof the following words:  
 "In such case the cause shall be placed on the calendar of issues of  
 fact, and the issues shall be tried together, unless the Court other-  
 wise direct."

SEC. 13. That Section two hundred and seventy-eight (278) be amended by striking out the first nine lines thereof, beginning with the word "at," and ending with the word "notice," and inserting in place thereof the following words: "At any time after issue, and at least fourteen days before Court, the plaintiff shall file in the Clerk's office the summons and complaint in the cause, endorsing thereon the nature of the issue and the number of the docket upon which the same shall be placed; and, if the plaintiff fail so to do, the defendant, seven days before the Court, may file copies of said papers with a like endorsement, and the Clerk shall thereupon place said cause upon its appropriate docket, and it shall stand for trial without any further notice of trial or notice of issue."

A. D. 1875.

Section 278 amended.

Summons and complaint to be filed in Clerk's office.

When Clerk to place cause on docket.

Section 313 stricken out.

Final judgment a lien on real estate for ten years.

Manner of creating where judgment has been obtained since March 1, 1870.

How judgment to be made a lien outside of County where entered.

Lien, if judgment obtained since March 1, 1870—when to date.

Renewal of judgment after expiration of active energy.

SEC. 14. Strike out Section three hundred and thirteen (313) and insert: "Final judgments, hereafter entered in any Court of record in this State, shall constitute a lien upon the real estate of the judgment debtor in the County where the same are entered, for a period of ten years from the date of entry of such judgments; and in cases where judgments have been obtained since the first day of March, A. D. 1870, a like lien may be obtained by the service of a summons upon the judgment debtor, or, if he be dead, upon his heirs, executor or administrators, to show cause, if any he or they may have, why said judgment should not be and become a lien in accordance with the provisions of this Act; and if no sufficient cause be shown to the contrary, said judgment shall be and become a lien on all the real property of the judgment debtor, in the County where entered, for ten years from the date of the filing of such summons, with proof of service thereof, in the office of the Clerk of the Court of Common Pleas of the County where such judgments have been entered, but no judgment shall constitute a lien on any property of the judgment debtor outside of the County where the same is entered, unless a transcript thereof is lodged in the office of the Clerk of the Court of Common Pleas of the County where the property of the judgment debtor may be situate; and from the date of the filing of such transcript it shall have the same force and effect as if the judgment had been originally entered in the County in which said transcript is filed: *Provided, however,* When any judgment has been obtained and execution issued since the first day of March, A. D. 1870, and the said judgment or execution has now a lien by reason of a levy in accordance with the provisions of the Code of Procedure, then the lien of such judgment or execution shall date from the day upon which it became a lien under the said Code of Procedure: *Provided, further,* That the plaintiff in such judgment may, at any time in three years after its active energy has expired, renew the judgment, with like liens as in the original,

A. D. 1875.

Property exempt by Constitution not affected by these proceedings.

Sections 314 to 316 stricken out.

When execution may issue upon judgment

To be lien on personal property four months.

How to be renewed.

Sheriff, et al., to make return of his action to Clerk of Court at each regular term thereof.

for a like period, by service of a summons on the debtor, as provided by law, requiring him to show cause, if any he can, at the next Term of the Court for his County, why such judgment should not be renewed; and if no good cause be shown to the contrary, then it shall be decreed that such judgment is renewed, according to the force, form and effect of the former recovery: *Provided, further,* That this Section shall not be so construed as to make final judgment in any case a lien on the real property of the judgment debtor exempt from attachment, levy and sale under the Constitution."

SEC. 15. Strike out Section three hundred and fourteen (314), three hundred and fifteen (315), and three hundred and sixteen, (316), and insert, "Execution may issue upon any judgment or decree, within three years from the entry thereof, without any revival of the same. When levied on personal property, they shall be a lien on such property, for the period of four months from the period of such levy; and such levy may be renewed from time to time, with like effect; shall be made returnable in the words according to law, and shall have active energy from the time they shall first be lodged until the regular term of the Court from which they were sued, which shall follow next after the full completion of five years from its lodgment, and may be renewed at any time during the continuance of its active energy without costs; but after the expiration of its active energy, as aforesaid, the same may be renewed by the service of a summons on the judgment debtor, his heirs, executors or administrators, to show cause, if any they may have, why the same shall not be renewed; and if no sufficient cause be shown, the same may be renewed; and so, from period to period, as often as the same may be found necessary; and whenever renewed shall be subject to the rules herein provided."

SEC. 16. The Sheriff, Coroner or other officer with whom final process as aforesaid shall be lodged, shall, at each regular term of the Court from which the said execution or process was sued out, during the continuance of its active energy, until full execution thereof be returned, make a return to the office of the Clerk of the Court of Common Pleas of his actings and doings thereunder. If he shall have fully executed, he shall return the process, with the manner of its execution; if he shall have partially executed, he shall return, on oath, to the Clerk, a statement in writing, under his hand, of such partial execution, with the reason of his failure as to the remainder; if he shall have wholly failed to make execution he shall return, on oath, a statement in writing, under his hand, of his failure, with the reasons; and in any event, on the first day of the term at which the active energy of the process shall



cease, as herein provided, he shall return the process, if the same has not been before returned as fully executed, and the return of the officer made as aforesaid shall, for all purposes, have the same legal effect as if the said process had been made returnable to the term succeeding its first lodgment, and renewed after each subsequent regular term. For failure or neglect to make any of the returns above mentioned, or for any false returns, the Sheriff or other officer, as aforesaid, shall be subject to rule, attachment, action, penalty and all other consequences provided by law for neglect of duty by executive or judicial officers."

A. D. 1855.

Penalty for failure to make returns as above.

SEC. 17. Strike out Section three hundred and thirty-three, and insert in place thereof the following: "When allowed, except in Courts of Trial Justices, costs shall be as follows: First. To the plaintiff, for all proceedings where judgment is obtained by default, fifteen dollars; for trial of issue of fact, twenty dollars; for trial of issue of law, fifteen dollars. Second. To the defendant, when judgment or verdict is found for the defendant, the same costs as are allowed plaintiff in like cases. Third. To either party, in all contested cases, fifteen dollars; for a commission to take testimony, ten dollars; for the examination of a party or witnesses before trial, five dollars; for the appointment of a guardian of an infant, ten dollars; for making and serving a case or cases containing exceptions, ten dollars; for procuring an order of injunction, five dollars; to either party, on appeal to the Supreme Court, twenty dollars; for argument, thirty dollars: *Provided*, That nothing herein contained shall apply to suits commenced and existing at the time of the passage of this Act, wherein the costs shall be the same as allowed previous to the passage hereof."

Section 333 stricken out.

Amount of costs to be allowed.

SEC. 18. In Section three hundred and fifty-seven strike out the words "two years," in the fifth line, and insert in the place thereof the words "three months," and add to said Section the following words: "No rule or order of any Court or Judge shall require the printing of any brief, report or other paper connected with appeals by any party to an action or proceeding who makes an affidavit, to be filed with the Clerk of the Supreme Court, that he or she is unable to pay for such printing."

In Section 357, "three months" inserted in lieu of "two years."

When printing of briefs, &c., may be dispensed with.

SEC. 19. That Section three hundred and fifty-nine (359) be stricken out; and that the first eight lines of Section three hundred and sixty, (360,) beginning with the word "if" and ending with the word "appeal," be stricken out, and the following substituted in place thereof: "A notice of appeal from a judgment directing the payment of money shall not stay the execution of the judgment unless the presiding Judge before whom the judgment was obtained shall grant a stay of execution; but after notice of appeal, the

Section 359 stricken out.

Section 360 amended.

Notice of appeal not to stay execution of judgment.



A. D. 1875.

Plaintiff enforcing sale to give undertaking.

Not allowed to sell if defendant gives security.

Section 364 amended.

Section 365 amended.

In Section 366, "or Clerk" inserted.

Section 367 amended.

Section 371 amended.

Sections 372 to 375 stricken out

Section 377 amended relative to payment of fees to Trial Justices.

Section 383 amended relative to liability of party executing undertaking.

Section 388 amended—undertaking to stay execution.

plaintiff shall not enforce a sale of property without giving an undertaking or bond to the defendant, with two good sureties, in double the appraised value of the property, or double the amount of the judgment, conditioned to pay all damages which the defendant may sustain by reason of such sale, in case the judgment is reversed; nor shall the plaintiff in such case be allowed to proceed with a sale of defendant's property, if the defendant do enter into an undertaking, with good sureties, in double the appraised value of the said property, or the amount of the judgment, to pay the judgment, with legal interest, and all costs and damages which the plaintiff may sustain by reason of the appeal, or produce the property levied on, and submit to the sale, in case the judgment be confirmed." In Section three hundred and sixty-four, strike out the following words: "whenever an appeal is perfected, as provided by," and insert in place thereof "whenever the defendant executes the bond hereinbefore prescribed, or the appeal is perfected as provided by." In Section three hundred and sixty-five, strike out the words "three hundred and fifty-nine," in the first and second lines. In Section three hundred and sixty-six, after the word "Judge," in the fifth line, insert the words "or Clerk." In Section three hundred and sixty-seven, strike out the words "the perfecting of an appeal by giving the undertaking mentioned in Section three hundred and fifty-nine," and insert in place thereof the words "the notice of appeal."

SEC. 20. That Section three hundred and seventy-one (371) be amended by striking out all of said Section after the words "Clerk of the Appellate Court," in the tenth line thereof, and substituting a period for the semi-colon. And that Section three hundred and seventy-two (372), three hundred and seventy-three (373), three hundred and seventy-four (374,) and three hundred and seventy-five (375), be stricken out. That Section three hundred and seventy-seven (377) be amended by striking out the words "but no Justice of the Peace shall be bound to make a return, unless the fees prescribed by the last Section of this Chapter be paid on the service of the notice of appeal," on the fifth, sixth and seventh lines. That Section three hundred and eighty-three (383) be amended by striking out the words "and if the party making such offer shall have given an undertaking upon the appeal, the parties executing such undertaking shall be liable thereon for the payment of the judgment entered by virtue of said offer, beginning on line thirteen and ending on line sixteen of sub-division five of said Section. That Section three hundred and eighty-eight (388) be amended by striking out the words "and no undertaking, given to stay execution, shall be enforced for more than the amounts of the cor-

rected judgments," on lines sixteen, seventeen and eighteen; also, by striking out the words "he shall be allowed to tax, as part thereof, the costs and fees paid to the Trial Justice on making the appeal, as disbursements, in addition to the costs in the Appellate Court," in the thirtieth, thirty-first and thirty-second lines. Strike out the words "Court below," in the fifty-sixth line, and insert the words "Trial Justice."

A. D. 1875.

"Trial Justice" inserted in lieu of "Court below."

SEC. 21. That after the passage of this Act no judgment shall be obtained in the Court of Common Pleas, except during Term time and in open Court, and it shall be the duty of the Clerk to place all cases filed in his office, in which there is no defense, upon a docket, to be prepared by him for the purpose, to be known as Docket Number Six (6), and they shall be called on the first day of the term, and the order for judgment shall be endorsed on the complaint and signed by the presiding Judge, and no execution shall be signed on judgments obtained by default in any other manner than is herein provided.

Judgments obtainable only during term time.

Special docket—when to be called.

. Approved March 8, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CAROLINA SAVINGS BANK OF CHARLESTON." No. 699.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Carolina Savings Bank of Charleston," approved March 16, 1874, be so amended that the said corporation, the Carolina Savings Bank of Charleston, and its branches, in addition to the powers conferred by the said Act, with a view to aiding and developing the agricultural interests of the State, shall have full power and authority to make advances to planters and others, to be secured by liens upon personal property, mortgages of real estate, bonds and promissory notes, and, also, to buy and sell foreign and domestic exchanges, and to lend money on the pledge of gold or silver, bonds, notes, or bills of exchange.

Charter amended.

Advances—how to be secured, &c.

Approved March 9, 1875.

A. D. 1875.

No. 700.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE EDGEFIELD COTTON AND WOOLEN MANUFACTURING COMPANY."

Charter  
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the title of said Act be amended, by striking out the words "cotton and woolen," so that it will read "An Act to incorporate the Edgefield Manufacturing Company."

Objects of cor-  
poration.

SEC. 2. That Section 1 of an Act entitled "An Act to incorporate the Edgefield Cotton and Woolen Manufacturing Company," approved February 27, 1873, be, and the same is hereby, amended by striking out, after the word "Edgefield," occurring on the ninth line thereof, the following: "Cotton and Woolen Manufacturing Company, for the purpose of manufacturing and finishing all goods of which cotton or wool may form a part, as well as all machinery used for such purposes," and inserting in lieu thereof the following: "Manufacturing Company, for the purpose of grinding grain, ginning cotton, the manufacture of oils from cotton seed, or the manufacture of cotton or woolen goods, as well as all machinery used for such and like purposes."

May increase  
capital stock.

SEC. 3. That Section 1 of said Act be amended by the addition of the words "with the privilege of increasing said capital to a sum not exceeding six hundred thousand dollars."

Approved March 9, 1875.

No. 701. AN ACT TO INCORPORATE THE MIDDLE STREET SULLIVAN'S ISLAND RAILWAY COMPANY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bernard O'Neil, William Knobloch, L. Sherfessee, Bernard Boyd, W. F. Gleason, Edward Burke, M. P. O'Connor, A. Melchers, A. St. Amand, H. E. Hayne, C. O. Witte, James Cosgrove, A. J. Ransier, William Moran, John Boyd, A. S. Johnston, William J. Gayer, Oscar Aichel, F. W. Wagener, John H. Devereaux, J. B. Patrick, F. L. Cardozo, W. R. Jervay, James Cantwell, J. L. Tobias, P. Brady, B. Callahan, R. S. Cathcart, George S. Pelzer, P. Teeklenburg, W. Y. Leitch, Ed. Daly, J. H. Murray, J. B. Howard, and their associates, be, and they are hereby declared to be, a body corporate, under the name and style of the Middle Street Sullivan's

Corporate  
name.



Island Railway Company, with full power and authority to construct a railroad from any point or points near the steamboat landing on Sullivan's Island, through Middle Street, as now defined, throughout the length of the Island to the eastern extremity thereof.

A. D. 1875.

SEC. 2. That the capital stock of the said Company shall be twenty-five thousand dollars, in shares of fifty dollars each, and the said Company may commence the work of building said road as soon as two thousand dollars of the capital shall have been paid in cash.

Capital stock.

SEC. 3. The said Railroad Company shall have full power and authority to construct their road along the present Middle Street to its terminus, and through any continuation of Middle Street, by whatever other name called, from the present boundary, to the extreme end of the Island.

Line of road.

SEC. 4. The stockholders of the said Company shall only be liable to the amount of their respective share or shares of stock in said Company for all its debts and liabilities, upon notes or otherwise.

Liability of stockholders.

SEC. 5. The said Company shall have the right to enforce payment of subscription to the capital stock by suit, or by sale of the shares of the delinquent stockholder, applying the proceeds to the payment of whatever sum may be due and owing by the delinquent stockholder, with the right of recovery against him, personally, for any deficiency that may exist after application of the proceeds of sale.

May enforce payment of subscriptions.

SEC. 6. The said Company shall have the right to sue and be sued, plead and be impleaded, the same as all other corporations.

May sue, &amp;c.

SEC. 7. The corporators named in this Act, with such others as they may elect to associate with them, are empowered to name two Commissioners from their number to open books of subscription to the capital stock of said Company.

Commissioners to open books of subscription.

SEC. 8. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, That the said railway shall be commenced within two years, and completed within five years from the passage of this Act.

Approved March 9, 1875.

# AN ACT RELATIVE TO STATE OFFICERS AND OFFICES.

No. 702.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That during



A. D. 1875.

Office hours.

the sessions of the General Assembly the following State officers, viz: The Secretary of State, the Comptroller General, the Attorney General, the State Treasurer, the State Superintendent of Education, the Adjutant and Inspector General, and State Librarian, shall keep open and attend to their respective offices from 9 o'clock in the morning until 3 o'clock in the afternoon on every day, Sundays and general holidays excepted.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act, for the purposes of this Act, be, and the same are hereby, repealed.

Approved March 9, 1875.

No. 703. AN ACT TO EMPOWER MECHANICS TO SELL PROPERTY LEFT WITH THEM FOR REPAIRS AFTER ONE YEAR.

When and by whom property left for repair may be sold.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That from and after the passage of this Act it shall be lawful for any mechanic, or mechanics, in this State, when property may be left at their shop for repair, to sell the same, at public outcry, to the highest bidder, after the expiration of one year from the time such property shall have been repaired; and the same shall be sold by any Trial Justice of the County in which the work was done: *Provided*, That the said Trial Justice shall, before selling such property, advertise the same, for at least ten days, by posting a notice in three of the most conspicuous places in his township. And he shall, after deducting all proper costs and commissions, pay to the claimant, or claimants, the money due to him, or them, taking his, or their, receipt for the same; after which he shall deposit the said receipt, as well as the items of costs and commissions, with the remainder of money or proceeds of the sale, in the office of the Clerk of the Court, subject to the order of the owner or owners thereof, or his or their legal representatives.

To deposit surplus with Clerk of Court.

Commissions on such sales.

SEC. 2. That the Trial Justice who shall sell such property shall be entitled to receive the same commissions as are now allowed by law for the sale of personal property by Constables.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 9, 1875.

AN ACT TO INCORPORATE THE STREET RAILWAY COMPANY OF  
THE CITY OF GREENVILLE.

A. D. 1875.

No. 704.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Stradley, William L. Mauldin, V. E. McBee, James P. Moore, Thomas C. Gower, Franklin Coxe, William E. Earle, and all other persons who may become associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of the "Street Railway Company of the city of Greenville, S. C.," and by that title shall have power to take, subscribe and raise a capital stock to the amount of twenty-five thousand dollars, if so much be necessary, in shares of twenty-five dollars each, for the purposes contemplated, with power to increase the said capital to the further sum of fifty thousand dollars, if found necessary: *Provided*, That such increase be assented to by a majority, in value, of the stockholders, who shall be notified in two of the public papers of the city of Greenville, of a meeting to be held for that purpose.

Corporators.

Corporate  
name.

Capital stock.

SEC. 2. That said Street Railway Company shall have power and authority, subject, as is hereinafter provided, to the Ordinances, authority and supervision of the City Council of Greenville relative thereto, to lay railway tracks through and along the streets within the corporate limits of the city of Greenville, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be drawn by horses or animal power, for the transportation of passengers and freight, upon such rates as shall be fixed by the said company, and approved by the said City Council, and for this purpose shall have all the authority and power necessary to carry the same into effect.

Line of road,  
&c.

SEC. 3. That the said company shall be able and capable, by its corporate name, to buy property and to sell the same for the purposes of its business; to sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of law or equity in this State; to have succession of officers and members, and shall have power to make by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority of the stockholders, and to have a common seal, and to alter and make new the same.

General pow-  
ers.

SEC. 4. That the said Railway Company, before laying any railway tracks for the purpose of running cars thereon, in any street or streets in the city of Greenville, shall fully and formally submit their plan or plans, designating the street or streets on which they propose to construct a railway, to the municipal authorities of said

Plans, &c., to  
be submitted to  
City Council of  
Greenville.

A. D. 1875.

Road to be  
under their  
supervision,  
&c.

city for their approval; and that all the works along and through the streets of said city be under the authority, supervision and arrangement of the corporate authorities of the city of Greenville, subject to such provisions, contracts, Ordinances and restrictions as they may deem advisable for the general welfare and due protection of the public and private rights, as also for the protection of the property and rights of said company.

May issue  
bonds.

SEC. 5. That said Railway Company shall have power and authority to issue bonds to an amount not exceeding twenty-five thousand dollars, the same to be redeemed at such time, not exceeding twenty years, as may be agreed upon by said company, and to bear interest at the rate of seven per cent. per annum, payable semi-annually.

SEC. 6. That this Act shall remain in force and continue for the period of twenty-one years, and thereafter until repealed: *Provided*, Said Street Railway be completed within six years from the passage of this Act; otherwise the rights, privileges and franchises herein granted shall cease and determine at the expiration of the last named period.

Approved March 9, 1875.

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No. 705. AN ACT TO CHANGE THE NAMES OF JACOB B. KOON AND AUGUSTA C. KOON, CHILDREN OF MARY A. KOON, OF LEXINGTON COUNTY, TO THAT OF JACOB B. RAWLS AND AUGUSTA C. RAWLS, AND TO LEGITIMIZE THEM AS THE CHILDREN OF BARNETT H. RAWLS, OF THE SAME COUNTY.

Jacob B. and  
Augusta C.  
Koon, names  
changed to  
Rawls.  
Legitimized.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the children begotten of the body of Mary A. Koon, of Lexington County, called by the names of Jacob B. Koon and Augusta C. Koon, be, and they are hereby, invested with all the rights and privileges of legitimate children of Barnett H. Rawls, in the same manner, and to the same extent, as if they had been born in lawful wedlock, and that they shall hereafter be called and known by the names of Jacob B. Rawls and Augusta C. Rawls.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 9, 1875.

## AN ACT TO VEST CERTAIN REAL ESTATE IN THE CITY OF COLUMBIA, LIABLE TO ESCHEAT, IN SOLOMON AUMANN.

A. D. 1875.

No. 706.

Preamble.

Whereas Sophia Aumann, otherwise known as Rose Le Grand, late of the city of Columbia, and County of Richland, was, at the time of her death, seized and possessed of certain real estate in said city of Columbia, acquired by purchase, described as a lot of land in said city, on the southwestern corner of Gates and Lady streets, measuring seventy-two feet front on Gates street, and running west on Lady street one hundred and fifty-seven feet; and the said Sophia Aumann, in and by her last will and testament, duly executed and admitted to probate, devised all her real estate to her son, Solomon Aumann, now of the town of Hamburg, Germany; and, whereas, it is now questioned whether said lot of land may not be liable to be proceeded against as escheated property, by reason of the alienage of said Sophia Aumann and Solomon Aumann; and, whereas, by an Act of the General Assembly, ratified the 19th December, 1816, the escheated property which had then, or might thereafter, become the property of the State, in Richland District, not exceeding the sum of five thousand dollars, was granted to the Trustees of the Columbia Academy, for the use of the Female Academy; and, whereas, the said Trustees of the Columbia Academy, by resolution, passed on the second day of February, A. D. 1875, have released and relinquished all their right or claim to said property, in favor of said devisee, Solomon Aumann; now, therefore,

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all right, claim, title and interest of the State of South Carolina, in and to the said lot of land above described, be, and the same is hereby, released to, and vested in, the said Solomon Aumann.

Approved March 9, 1875.

Title of State  
in certain lands  
vested in Solo-  
mon Aumann.

## AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF DARLINGTON COUNTY TO LEVY A SPECIAL TAX, AND FOR OTHER PURPOSES.

No. 707.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Darlington County are hereby authorized and required to continue to levy and cause to be collected a special



A. D. 1875.

Special tax  
for past indebtedness.

tax of two mills on the dollar of the value of the taxable property of the said County, for the fiscal year commencing November 1, 1875, the said tax to be applied exclusively to the settlement of the past indebtedness of the said County, as herein provided, and a similar tax in each succeeding year thereafter, for the same purpose, until such indebtedness shall be fully paid: *Provided*, That all persons holding claims against the said County which have not already been registered at the County Commissioners' office shall be, and are hereby, required to file a list of the same, with the amounts and dates thereof, in the office of the County Commissioners, within ninety days after the passage of this Act: *Provided, further*, That due notice shall be given, by publication in one or more newspapers of the County, to be at least three issues thereof, of the opening of a book of registry for such purpose by the County Commissioners.

Claims to be  
registered.Notice to be  
given to regis-  
ter.

SEC. 2. That the County Treasurer of Darlington County shall devote the proceeds of such special tax to the payment of all claims registered as hereinbefore provided, and should the amount of such special tax collected in the first year after the passage of this Act be insufficient to pay the entire indebtedness of the said County, then the County Treasurer of said County shall pay out the same *pro rata*, and continue the same from year to year, until the whole amount of such indebtedness shall have been paid, endorsing each partial payment on each claim presented, which shall have the word "registered," with the date of registering written across the face of the same, in red ink, over the signature of the Clerk of the Board of County Commissioners, and the party receiving such partial payment shall receipt to said Treasurer for each partial payment, the said receipt to be kept and filed by said Treasurer, as his voucher.

When Treas-  
urer to pay  
claims *pro rata*Claimants to  
receipt for par-  
tial payments.

SEC. 3. That when the final payment upon each claim shall have been made, final payment shall be endorsed upon such claim, and the said claim shall be taken by the County Treasurer, in addition to the receipt for such final payment, from the party receiving such payment, and the said Treasurer shall return the same to the County Commissioners of Darlington County, which shall be kept on file in their office, with the papers to be known as "the Darlington County debt papers."

When claim  
to be taken up.Disposition  
to be made of  
same.Special tax  
for present fis-  
cal year, how  
to be distribu-  
ted.

SEC. 4. That the proceeds of a special tax which the County Commissioners of Darlington County have levied and caused to be collected, by authority of law, for the fiscal year ending November 1, 1874, shall be distributed and paid upon the claims already registered, as herein provided by the County Treasurer, in the manner set forth in Section 2 of this Act.

SEC. 5. That all Acts or parts of Acts inconsistent with the provisions of this Act are, for the purposes of this Act, hereby repealed.

A. D. 1875.

Approved March 9, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BLACKSTOCK." No. 708.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of Blackstock," approved February 22, 1873, be, and the same is hereby, amended, by striking out the words "one-half," occurring on the eighth line thereof, and inserting in lieu thereof the words "one-quarter."

"One-quarter" inserted in lieu of "one-half."

Approved, March 10, 1875.

AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO PAY, OUT OF TAXES COLLECTED FOR THE PRESENT FISCAL YEAR, THE CLAIMS AGAINST SAID COUNTY FOR PRECEDING FISCAL YEARS, WHICH HAVE BEEN AUDITED AND ORDERED PAID, BUT WHICH REMAIN UNPAID. No. 709.

Whereas it appears by the reports of the Board of County Commissioners of Lexington County, that accounts against the County for fiscal years previous to the last, amounting to the sum of one hundred and forty dollars, which have been audited and ordered to be paid, but which still remain outstanding and unpaid; and whereas it appears by the same report that there is an unexpended balance of the taxes collected for the last fiscal year in the hands of the County Treasurer of said County, amounting to sixty-eight dollars and forty-four cents; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized and empowered to draw their warrants upon the County Treasurer of said County for the said balance of sixty-eight dollars and forty-four cents, the same to be applied to the payment of the claims so audited, and now outstanding and unpaid as aforesaid, and that for the payment of the balance due on said claims, to wit:

County Commissioners to draw warrants to pay unpaid accounts of previous fiscal year.

A. D. 1875.

County Treasurer to pay same.

Seventy-one dollars and fifty-six cents, the said County Commissioners are hereby authorized and empowered to draw their warrants upon the said County Treasurer, who is hereby authorized to pay said warrants, first by applying thereto the said balance of sixty-eighty dollars and forty-four cents remaining in his hands and unexpended for the last year, and the remainder out of any taxes collected for the present fiscal year.

Relieved from penalties imposed by certain Act.

SEC. 2. That said County Commissioners and County Treasurer, in the discharge of the powers conferred on them by this Act, are hereby relieved from all the pains and penalties which might attach under the provisions of an Act entitled "An Act to regulate the manner in which public funds shall be disbursed by public officers," approved March 19, 1874.

Approved March 10, 1875.

No. 710. AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1874.

Appropriations for salaries and contingents.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and they are hereby, appropriated to the objects herein named, out of the proceeds of the tax of one and a quarter mills, levied in pursuance of Section 1 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1874," that is to say:

Salaries Executive office.

1. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, two thousand dollars; for the salary of the Governor's Messenger, five hundred dollars.

Salary of Lieutenant Governor. Secretary of State's office.

2. For the salary of the Lieutenant Governor, twenty-five hundred dollars. 3. For the salary of the Secretary of State, three thousand dollars; for the salary of the Clerk of the Secretary of State,

Comptroller-General's office

fifteen hundred dollars. 4. For the salary of the Comptroller General, three thousand dollars; for the salary of the Clerk of the Comptroller General, fifteen hundred dollars; for the salary of the Book-keeper of the Comptroller General, fifteen hundred dollars. 5.

Treasury office.

For the salary of the State Treasurer, twenty-five hundred dollars; for the salary of the Chief Clerk of the State Treasurer, eighteen hundred dollars; for the salary of the Book-keeper of the State Treasurer, fifteen hundred dollars. 6. For the salary of the Adjutant and Inspector General, twenty-five hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General,

Adjutant and Inspector General's office.



twelve hundred dollars. 7. For the salary of the State Superintendent of Education, twenty-five hundred dollars; for the salary of the Clerk of the State Superintendent of Education, one thousand dollars. 8. For the salary of the Attorney General, three thousand dollars; for the salary of the Clerk of the Attorney General, one thousand dollars. 9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for an attendant upon the Library and rooms of the Supreme Court, (said attendant to be appointed by and removable at the pleasure of said Court,) three hundred dollars; for the purchase of books for the Library of the Supreme Court, five hundred dollars, to be paid on the order of the Chief Justice. 10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the Judge of the Inferior Court of Charleston County, six hundred and twenty-five dollars; for the salaries of the eight Circuit Solicitors, eight thousand dollars. 11. For the salary of the Keeper of the State House and State Librarian, one thousand dollars; for the salaries of the two watchmen of the State House and Grounds, six hundred dollars each. 12. For the salary of the Superintendent of the State Lunatic Asylum, twenty-five hundred dollars; for the salary of the Superintendent of the State Penitentiary, two thousand dollars; for the salary of the Physician of the State Penitentiary, five hundred dollars. 13. For the salaries of the County Auditors, thirty-nine thousand seven hundred and fifty dollars; for additional compensation allowed County Auditors, from March 19, 1874, to October 31, 1874, inclusive, four thousand seven hundred and eighty dollars and seventy-five cents; for the Clerk of the Auditor of Charleston County, one thousand dollars; for the paintings of Abraham Lincoln and Charles Sumner, as authorized by the General Assembly, at its session of 1873-74, five thousand dollars, the same to be paid by the State Treasurer to the holder of the receipt of the said Treasurer for Joint Legislative pay certificate No. 86, which was issued by authority of the General Assembly during the session of 1873-74. 14. For the salaries of the County School Commissioners, thirty-two thousand two hundred dollars. 15. For the salaries of the Health Officers, five thousand one hundred dollars; for expenses of maintaining quarantine, two thousand dollars; for the salary of the Keeper of the Lazaretto, four hundred dollars. 16. For the contingent fund of the Governor, three thousand dollars; for the contingent fund of the State Treasurer, five hundred dollars; for the contingent fund of the Secretary of

A. D. 1875.

State Superintendent of Education's office.

Attorney General's Office.

Salaries, &amp;c., Supreme Court.

Circuit Judges and Solicitors.

State Librarian and watchmen of State House.

Superintendents of Asylum and Penitentiary.

County Auditors.

Pictures of Lincoln and Sumner.

School Commissioners.

Health Officers, &amp;c.

Contingent fund.



A. D. 1875.

Expenses of  
funding.Auditors and  
Treasurers'  
books and  
blanks.Contract to be  
awarded to the  
lowest bidder.

School blanks.

Election ex-  
penses.Repairing  
Armory.Appropriations  
for public  
institutions.Support and  
construction of  
Penitentiary.Support of  
Lunatic Asy-  
lum.

State, five hundred dollars ; for the contingent fund of the Superintendent of Education, five hundred dollars ; for the contingent fund of the Comptroller General, five hundred dollars ; for the contingent fund of the Attorney General, five hundred dollars ; for the contingent fund of the Adjutant and Inspector General, five hundred dollars ; for the contingent fund of the State Librarian, two hundred and fifty dollars ; for the contingent expenses of the Supreme Court, five hundred dollars ; for expenses of litigation in the Attorney General's office, to be paid upon the warrant of the Comptroller General on application of the Attorney General, seven thousand five hundred dollars. 17. For expenses incurred under an Act to reduce the volume of the public debt and provide for the payment of the same, approved December 22, 1873, twenty-five hundred dollars, to be disbursed under the direction of the State Treasurer ; for printing books and blanks for County Treasurers and Auditors, and other papers necessary to the collection of taxes, six thousand dollars, to be disbursed on the order of the Comptroller General, who is hereby authorized and required to advertise in one or more newspapers in each of the cities of Charleston and Columbia for proposals for furnishing the said books, blanks and other papers, and to award the contract therefor to the lowest responsible bidder ; for printing blank forms for Free Common Schools, one thousand dollars, to be disbursed on the order of the State Superintendent of Education ; for expenses of general election, 1874, fifteen thousand dollars, to be paid *pro rata* among the different Counties ; for repairing and keeping in good condition the State arms and Armory, five hundred dollars, to be paid upon the warrant of the Comptroller General, on the application of the Adjutant General.

SEC. 2. That the following sums, if so much be necessary, be, and they are hereby, appropriated, to be paid *pro rata* to the objects herein named out of the proceeds of the tax of one and a quarter mills levied in pursuance of Section 2 of the Act recited in Section one (1) hereof, that is to say: 1. For the construction and support of the State Penitentiary, forty thousand dollars, of which sum thirteen thousand four hundred and sixty dollars shall be used for the payment of the guards and employees, and one thousand dollars for expenses of transportation and clothing of discharged convicts, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, approved by the Board of Directors. 2. For the support of the State Lunatic Asylum, seventy-five thousand dollars, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, approved by the Board of Regents, ten thousand dollars of which shall be used for payment of the employees of the Asylum for the previous year: *Provided, further,*

That fifteen thousand dollars of which, if so much be necessary, be exclusively applied to the payment of salaries and wages of employees of said institution for the fiscal year commencing November 1, 1874. 3. For the support of the State Orphan Asylum, fifteen thousand dollars, to be paid in accordance with the law establishing the same.

A. D. 1875.

State Orphan  
Asylum.

4. For the Catawba Indians, eight hundred dollars, payable on the warrant of the Comptroller General, on application of the Agent. 5.

Catawba In-  
dians.

For the support of the University of South Carolina, forty-three thousand two hundred and fifty dollars, to be used as follows: For the salaries of Professors, twenty-one thousand four hundred and fifty dollars, as follows: For the salary of the Librarian, Treasurer, &c., fifteen hundred dollars; for the Professor of Natural and Mechanical Philosophy and Astronomy, two thousand dollars; for the Professor of Mathematics and Civil and Military Engineering, two thousand dollars; for the Professor of History, Political Philosophy and Political Economy, two thousand dollars; for the Professor of Rhetoric, Mineralogy and Geology, two thousand dollars; for the Professor of Criticism, Elocution and English Language and Literature, two thousand dollars; for the Professor of Chemistry, Pharmacy, of Ancient Languages and Literature, two thousand dollars; for the Professor of Mental and Moral Philosophy, two thousand dollars; for the Professor of Modern Languages and Literature, two thousand dollars; for the Professor of Physiology and Comparative Anatomy, two thousand dollars; for the Professor of Law, nineteen hundred and fifty dollars: *Provided*, That all persons who are not regular students in other schools of the University, who enter the School of Law, shall pay an entrance fee of fifty dollars, which fee shall be paid into the State Treasury, to be applied to the payment of outstanding claims against the Deaf, Dumb and Blind Asylum; for apparatus of the Department of Chemistry and Natural Philosophy, two hundred and fifty dollars each; for miscellaneous expenses, fifteen hundred dollars; for Beneficiary Scholarships in said University, twelve thousand eight hundred dollars, or so much thereof as may be necessary, to be paid in accordance with the law establishing the same; for the support of the Preparatory School of the University, three thousand dollars, to be paid on the warrant of the Comptroller General, on application of the Chairman of the Faculty of the University; for insurance and repairs of buildings, four thousand dollars, two thousand of which, if so much be necessary, to be used for repairs of Library, to be paid on the warrant of the Comptroller General, on application of the Secretary of the Board of Trustees. 6. For the support of the State Normal School, ten thousand dollars, to be paid on the warrant of the Comptroller General, upon application of the Board of Regents: *Provided*,

South Carolina  
University.State Normal  
School.

A. D. 1875.

That three thousand dollars of the same, if so much be necessary, shall be used for the payment of liabilities incurred by the Regents of said Normal School during the fiscal year ending October 31, 1874. 7. For the payment of interest on the bonds of the State Agricultural College and Mechanics' Institute, ten thousand dollars, to be paid in accordance with the law establishing the same. 8. For putting up suitable cases in the office of the Clerk of the House of Representatives, for the preservation of the records in said office, and for the preparation and binding of manuscript Journals of the House of Representatives, to be deposited in the office of the Secretary of State, one thousand dollars, if so much be necessary, to be paid out of the phosphate royalty received for the present year, upon the order of the Clerk of the House, countersigned by the Comptroller General.

Preservation  
of records and  
preparation  
Journal House  
of Representa-  
tives.

Expenses of  
printing.

SEC. 3. For the public printing, in accordance with the contract made with the Republican Printing Company, fifty thousand dollars, to be paid from the proceeds of tax of one-third of one mill, levied in pursuance of Section 5 of the Act recited in Section 1 hereof, and upon the certificates as now provided by law.

Support of  
public schools.

SEC. 4. That the sum of two hundred and forty thousand dollars, for the support and maintenance of public schools, be, and the same is hereby, appropriated out of the proceeds of two mills, levied in pursuance of Section 3 of the Act before recited in Section 1 hereof, and as much more as may be produced from the same; and the State Superintendent of Education is hereby authorized and directed to apportion the amount so appropriated upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1874; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the various school districts of their said Counties as aforesaid. 2. That the sum of ninety thousand dollars, for the payment of deficiencies of school claims and salaries of County School Commissioners, due prior to November 1, 1873, be, and the same is hereby, appropriated out of the proceeds of 3-4 mills levied in pursuance of Section 3 of the Act before recited in Section 1 hereof, and as much more as may be produced from the same: *Provided*, That the past due salaries of the various County School Commissioners shall first be paid: *Provided, further*, That the State Superintendent of Education shall apportion the balance for the payment of the school claims in a *pro rata* manner, according to the amount due.

How school  
funds to be ap-  
portioned.

Deficiency  
school claims.

Interest on  
consolidation  
bonds and stock

SEC. 5. For the payment of the January and July interest upon the Consolidation Bonds and Certificates of Stock of the State,



issued under the provisions of the Act to reduce the volume of the public debt, such an amount as may be necessary of the proceeds of the two mill tax, levied in pursuance of Section 3 of said Act, the surplus, if any, arising from said tax, to be applied to the purchase of the said Consolidation Bonds and Certificates of Stock in accordance with the provisions of Section 7 of the above recited Act to reduce the volume of the public debt, approved December 22, 1873.

A. D. 1875.

Disposition  
of surplus.

SEC. 6. That the amounts appropriated for the payment of salaries in the first Section of this Act shall be payable quarterly, and the amounts appropriated for contingent funds as required, on the order of the Comptroller General, on application of the various officers entitled to receive the same: *Provided*, That the accounts and vouchers upon which such applications are made shall be filed with the Comptroller General before he issues his warrants on the State Treasurer for payment of the same.

Salaries payable quarterly.

Contingent funds, how to be drawn.

SEC. 7. That the moneys herein appropriated to be used as contingent funds, and for other purposes, by the various officers of the State Government, shall be duly accounted for by the said officers, who shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before December 1: *Provided*, That no officer authorized to make contracts, or draw funds from the said appropriations, shall expend, or make contracts expending, more than has been appropriated for any purpose by this Act, or any portion thereof: *Provided, further*, That the appropriations made under Section 1 of this Act shall be paid *pro rata* until it shall be ascertained that the levy and collections for said purpose is found to be sufficient to pay said appropriations in full.

Reports of  
disposition of  
same.

Salaries and  
contingents to  
be paid *pro rata*

SEC. 8. The moneys appropriated in Sections 1, 2, 3 and 4 of this Act shall not be paid out except for expenses incurred during the fiscal year commencing November 1, 1874, and ending October 31, 1875; and it is hereby made a felony for any officer to pay out any portion of the same otherwise than as herein provided for, and upon conviction thereof any officer so offending shall be punished as provided in Section 3 of an Act to regulate the manner in which public funds shall be disbursed by public officers, approved March 17, 1874.

Appropriation  
herein made  
applicable only  
to the fiscal  
year.

SEC. 9. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 10, 1875.



A. D. 1875.

No. 711.

## AN ACT TO INCORPORATE THE TOWN OF RIDGEWAY, IN THE COUNTY OF FAIRFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the town of Ridgeway, in the County of Fairfield, be, and the same is hereby, incorporated; and that all the rights, powers and privileges now conferred upon the officers and citizens of the town of Ninety-Six, in this State, are hereby conferred on, and vested in, the officers and citizens of the town of Ridgeway.

Officers.

SEC. 2. That the officers of said town shall consist of one Intendant and four Wardens, who shall be elected annually on the fourth Monday in March, and that R. S. Desportes, Moses James and A. F. Ruff are hereby appointed Managers to conduct and declare the first election for officers of said town.

Managers of election.

Corporate limits.

SEC. 3. That the limits of said town shall extend one-half mile north and south, and one-fourth mile east and west from the Ridgeway Depot of the Charlotte, Columbia and Augusta Railroad.

SEC. 4. That this Act shall take effect from and after its passage, and shall remain in force.

Approved March 10, 1875.

No. 712.

## AN ACT TO CHARTER THE WALHALLA BANK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Lovinggood, C. L. Reid, J. W. Stribling, R. A. Thompson, J. H. Sligh, J. J. Norton, C. E. Watson and W. C. Keith, together with such persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of "The Walhalla Bank," and by that name and style shall be, and is hereby, made capable in law to have, purchase, enjoy and retain to it and its successors, lands, rents, tenements, goods, chattels and effects of whatever kind or quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be pleaded, answer and be answered, defend and be defended in Courts of record or any other place whatsoever, and have perpetual succession; to have and exercise the rights and privileges of other banking corporations now existing or that may hereafter be enacted; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure,

Corporators.

Corporate name.

General powers.

and also to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of the said corporation.

A. D. 1875.

SEC. 2. That the capital stock of the said corporation shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, and may be increased, from time to time, to a sum not exceeding five hundred thousand dollars, as may be deemed necessary by the Board of Directors.

Capital stock.

SEC. 3. The persons named in the first Section of this Act shall be Directors of this company until others are appointed by the stockholders, and they may, as soon as proper, appoint a President from among their number, or from among others who may hereafter be associated with them; and the said President shall continue in office for the period of one year from the day of his election, or until his successor is appointed. In case of a vacancy in the office of Director or President, from any cause, the remaining Directors may elect others to supply their places until a meeting of the stockholders shall be held. There shall be five or more Directors, who, with the President, shall manage the affairs of the company. Three of said Directors shall constitute a quorum for any and all business purposes of the said company. The meetings of the stockholders shall be held in the principal office of the corporation, which shall be designated by the Board of Directors.

Officers of corporation.

SEC. 4. The President and Directors shall appoint such clerks and other officers as they may find necessary properly to conduct the business of the company, and allow them suitable compensation; all of which clerks and officers shall hold their places during the pleasure of said President and Directors.

Appointment of clerks, &amp;c.

SEC. 5. The President and Directors shall have power to appoint agents in any part of the State or elsewhere, and, at their discretion, may take from them bonds, with security, conditioned for the faithful performance of their duties; such agents being removable at the pleasure of the President, subject to the approval of the Board of Directors, or by the Board of Directors.

Agents.

SEC. 6. The mode of voting at the meetings of said company shall be one vote for each share of stock, and every stockholder may, at pleasure, by power of attorney or in person, assign or transfer his stock in the company, on the books of the same, or any part thereof, not being less than a whole share.

Manner of voting.

SEC. 7. The first annual meeting of the stockholders of the said company shall be on the second Wednesday in March, A. D. 1875, and thereafter on the same day in each year: *Provided*, The said stockholders, at any regular meeting, or a Board of Directors, may at any time change the day of said annual meeting; and the Presi-

Annual meetings.

A. D. 1875.

dent and Directors may at any time call a general meeting of the stockholders, and any number of stockholders, owning not less than one-third of the whole number of shares, may require the President to call such meeting, and, on his refusal to do so, may themselves call such meeting, in such case giving at least ten days' notice by publication in one or more newspapers published in the County of Oconee.

Liability of members.

SEC. 8. The members of the company shall not be liable for any loss, damage or responsibility other than the property they have in the capital and funds of the company to the amount of shares held by them, respectively, and any profits arising therefrom not divided: *Provided*, That no Director or other officer of said corporation shall borrow any money from said corporation, and if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section they shall be punished by fine or imprisonment, at the discretion of the Court.

Officers not to borrow from corporation.

Investment of funds.

SEC. 9. That said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks, in the purchase of United States bonds, bonds issued by this or any other State of the United States, and in bonds of any incorporated company, to lend money on personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds and bills of exchange or other evidences of debt, and to use their property in any manner incidental to a banking, insurance and trust business, or the general business of the company.

Insurance policies.

SEC. 10. All policies of insurance, and other contracts made by said company, signed by the President and countersigned by the Secretary, shall be obligatory on said company, and have the same effect as if attested by a corporate seal.

SEC. 11. This Act shall be in full force from and after its passage.

Approved March 10, 1875.

No. 713. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD IN SAID COUNTY.

Line of road.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to open, establish and keep in repair, a public road leading

from Marietta or some point above, up the west side of the North Saluda River, to intersect the Buncombe road at or near the crossing of said road over Terry's Creek.

A. D. 1875.

Approved March 10, 1875.

AN ACT TO INCORPORATE THE PALMETTO OIL AND GREASE COMPANY, OF CHARLESTON COUNTY. No. 714.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George Shrewsbury, John Hall, Joseph Parker, Aaron Logan, N. S. Robinson, John N. Gregg, John A. Mushington, T. H. Jones, J. L. Walker, C. C. Leslie, J. A. Godfrey, W. M. Gadsden, G. H. Dantzman, T. D. Smalls, John M. Freeman, Jr., H. Z. Burckmeyer, W. R. Jervay, S. E. Gaillard, E. G. Logan, T. A. Davis, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the "Palmetto Oil and Grease Company, of Charleston County," for the purpose of manufacturing oil and grease from fish, or any other substance that oil or grease may be made from, and disposing of the same; and for the purpose of carrying on such other business as may be connected therewith, with a capital not to exceed sixty thousand dollars, to be divided in shares of ten dollars each.

Corporators.

Corporate name.

Objects.

SEC. 2. That said company shall have succession of officers and members, to be chosen according to the rules and by-laws made and to be made for their government and direction, and shall have power to make by-laws, not repugnant to the laws of the land, to make, have and use a common seal, and the same to alter at will, to sue and be sued, in any Court in this State, to purchase and hold any lands, tenements or hereditaments, goods or chattels which may be necessary, connected with, or conducive to, the purposes for which said company is established.

General powers.

SEC. 3. That this corporation shall enjoy all the privileges that are awarded, under the general laws of the State, to any corporation, together with the special privileges accorded by this charter.

SEC. 4. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the period of fourteen years.

Approved March 10, 1875.



A. D. 1875.

No. 715.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," AS RELATES TO THE VILLAGE OF ST. STEPHENS.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," be amended by striking out so much as relates to the Commissioners of Election of Charleston County and their counting the votes and declaring who is elected, and the following be inserted in its stead: That on the fourth Monday in March, 1875, the following named persons shall conduct the first election under this Act, and perform all the duties of the Commissioners of Election, viz: J. M. Wilder, P. F. Sparkman and Thomas Jenkins; they shall make a statement of the election, and file the same with the Clerk of the Court of Charleston County, showing the number of votes each person got, and who is elected Intendant and Wardens of the said town, and furnish the persons so elected with a certificate of their election; after which all elections held in said town shall be conducted in accordance with the charter; and that instead of the first Section reading three-fourths of a mile, in each direction, it read one-half mile.

Approved March 11, 1875.

No. 716. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF SUMTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the Senate, five Trial Justices for the County of Sumter, and no more, two of whom shall be located within the town of Sumter, to hold their offices for the term of two years, unless sooner removed by the Governor.

SEC. 2. That, instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary of three hundred dollars per annum, except in the town of Sumter, where each of them shall be allowed a salary of five hun-

Managers of  
Election.

Duties.

Corporate  
limits.

Trial Justices,  
number and  
term of office.

Salaries—  
amount—when  
and where  
payable.

dred dollars per annum, payable quarterly, on the first day of January, April, July and October, in each year of the said term, by the County Treasurer of the said County, out of the County funds, and no account or claim, other than for such salary, shall be preferred by, allowed or paid to either of them by the said County on account of criminal proceedings.

A. D. 1875.

SEC. 3. That the said Trial Justices for Sumter County are hereby required, on the first day of each and every month, to file with the Clerk of the Circuit Court of the said County a report, duly verified, of all costs charged and fines imposed in criminal cases and proceedings had before them; and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of the said County the amount of such fees, costs and fines by them severally collected and recovered.

Monthly reports.

SEC. 4. That all the appointments of Trial Justices for the County of Sumter heretofore made shall cease and determine on and after the passage of this Act, and the Trial Justices provided for in this Act shall enter upon their duties.

Appointments heretofore made—when to cease.

SEC. 5. That the Trial Justices appointed to serve outside of the town of Sumter may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure. The Constables so appointed shall each receive a salary of one hundred and fifty dollars per annum, to be paid at the times and in the manner provided by Section 2 of this Act. All processes and warrants issued by the said Trial Justices within the town of Sumter shall be executed by the Sheriff of said County: *Provided*, That the fees allowed the Sheriff shall not exceed the sum of three hundred dollars per annum.

Constables, number and salary.

Sheriff to serve processes in town of Sumter.

SEC. 6. That if either of the Trial Justices appointed for the County of Sumter shall neglect to attend to the duties of his office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the costs and fines collected by him in his office, he shall be liable to indictment therefor, and, on conviction thereof, shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Penalty for neglect of duty, &amp;c.

SEC. 7. That the County Commissioners of Sumter County be, and are hereby, instructed to cause to be set aside, out of the County funds, a sum sufficient to pay the salaries of the officers herein provided for, the same to be paid quarterly; and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, or both, as may be deemed best, in the judgment of the Court.

Salaries to be set aside.

A. D. 1875.  
 Bond —  
 amount, and  
 by whom ap-  
 proved.

SEC. 8. The Trial Justices so appointed shall each give a bond of five hundred dollars, and each Constable a bond of two hundred dollars, with one or more sureties, for the faithful performance of their duties, the bond to be approved by the Judge of the Circuit Court of the said County.

Reports to be  
 read in open  
 Court.

SEC. 9. That the reports required to be made by Section 3 of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointment herein authorized, and on the first day of each term thereafter.

SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed.

Approved March 11, 1875.

NO. 717. AN ACT PROVIDING FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF CHESTER COUNTY.

Surplus tax  
 applicable to  
 past indebted-  
 ness.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the surplus of the one-half mill tax collected, or to be collected, under the provisions of an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," approved March 13, 1872, be devoted, so far as the County of Chester is concerned, to the payment of the certificates of jurors and Constables, issued at the September Terms, 1873 and 1874, of the Court of General Sessions of said County; after all of said certificates shall have been paid, said fund shall be applied as heretofore provided by law.

SEC. 2. That all Acts or parts of Acts conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 11, 1875.

NO. 718. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENVILLE, AND FOR OTHER PURPOSES," AND AN ACT TO ALTER AND AMEND THE SAID ACT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to alter and amend the charter of the

town of Greenville, and for other purposes," be, and the same is hereby, amended by adding at the end thereof the following words, to wit: "And who shall hold their respective offices for the term of two years, and until their successors shall be duly elected and qualified."

A. D. 1875.

Term of office.

SEC. 2. That Section 4 of the said Act be, and the same is hereby, amended by striking out the words, "September of each year," from the first line thereof, and inserting in place of the same the following words and figures, to wit: "August, 1875, and on the same day in every second year thereafter."

Time of election.

SEC. 3. That Section 7 of the said Act be, and the same is hereby, amended by inserting between the word "them" and the word "all," on the sixth line thereof, the following words, to wit: "or before the said Mayor alone, in the absence of the said Aldermen, or before one of the said Aldermen, in the absence of said Mayor."

Relative to trials.

SEC. 4. That Section 3 of an Act entitled "An Act to alter and amend an Act entitled 'An Act to alter and amend the charter of the city of Greenville, and for other purposes,'" approved March 23, 1869, be, and the same is hereby, amended, by inserting between the word "them," on the first line thereof, and the word "shall," on the second line thereof, the following words, to wit: "Or the said Mayor alone, in the absence of the said Aldermen, or by one of the said Aldermen, in the absence of the said Mayor;" by inserting between the word "city" and the word "and," on the fourth line thereof, the following words, to wit: "And when such person or persons so fined shall be unable to pay such fine, to sentence such person or persons to work on the streets of said city eight hours a day for a term not exceeding twenty days, under the direction and custody of the Marshals of the said city."

Defaulters to work on street.

SEC. 5. That Section 4 of said last mentioned Act be, and the same is hereby, amended by striking out the word "alter," from the second line thereof, and inserting the word "close" in place of the same.

"Close" inserted in lieu of "alter."

Approved March 11, 1875.

AN ACT TO AMEND SECTION 1, CHAPTER CXXXVI OF PART No. 719.  
IV OF THE REVISED STATUTES, RELATIVE TO OFFENSES  
AGAINST CIVIL RIGHTS.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,



A. D. 1875.

Forbidding  
discrimination  
on account of  
color, &c., in  
inns, taverns,  
&c., whether  
licensed or not.

and by the authority of the same, That Section 1 of Chapter CXXXVI of Part IV of the General Statutes, relative to offenses against civil rights, be, and the same is hereby, amended as follows: "It shall not be lawful for any common carriers or any party or parties engaged in any business, calling or pursuit, for the carrying on of which a license or charter is required by any law, municipal, State or Federal, or by any public rule or regulations, whether such party or parties have obtained such license or charter, or failed or neglected to obtain the same, or for any party or parties keeping an inn, restaurant or other place of accommodation or refreshment, whether a license or charter is required for the keeping of the same or otherwise, to discriminate between persons on account of race, color or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit."

Approved March 11, 1875.

No. 720. AN ACT TO AMEND SECTION 14 OF CHAPTER XLVII OF THE REVISED STATUTES OF SOUTH CAROLINA, RELATING TO FERRIES.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of Chapter XLVII of the Revised Statutes of South Carolina be, and the same is hereby, amended so as to read, "if any person or persons, living within the space of one mile of any established ferry in any part of this State, shall, for any fee, toll or reward whatever, transport any person, goods or cattle from one side only to the other of that river where any such established ferry shall be kept, the person taking any such fee, toll or reward shall forfeit and pay to the proprietor of the ferry next adjacent to the place where such fare was taken up, treble the value of the fee, toll or reward given or promised, to be recovered by warrant under the hand and seal of one Trial Justice, or be imprisoned in the County jail for a period not exceeding thirty days, any law, usage or custom to the contrary notwithstanding: *Provided, always,* That in case any passenger shall be detained more than half an hour at any such ferry, then any person living near such ferries may be at liberty to transport them, anything herein to the contrary notwithstanding."

Penalty for  
ferrying pas-  
sengers across  
rivers within  
one mile of es-  
tablished ferry.

Proviso.

Approved March 11, 1875.

AN ACT TO ESTABLISH A FERRY ACROSS WACCAMAW RIVER, A.D. 1875.  
 IN HORRY COUNTY, AND TO VEST THE SAME IN WM. L. No. 721.  
 BUCK & CO.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered to reach across the Waccamaw River, in Horry County, at Greenwood Mill, and that the said ferry be vested in Wm. L. Buck & Co., for the term of ten years, and that the following rates of toll be charged and collected, and no more: For every four horse carriage or vehicle, one dollar; for every two horse carriage or vehicle, seventy-five cents; for every one horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents: *Provided*, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free of toll.

Ferry char-  
tered.

In whom  
vested.

Rates of toll.

Approved March 11, 1875.

AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO REGULATE THE ISSUING OF CHECKS TO LABORERS UPON PLANTATIONS OR ELSEWHERE." No. 722.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to regulate the issuing of checks to laborers upon plantations or elsewhere," be, and the same is hereby, amended so as to read as follows: "Section 2. That if any person or persons, after the passage of this Act, shall offer to any laborer or employee, except as provided for in the preceding Section, as compensation for labor or services performed, checks or scrip of any description, known as plantation checks, payable at some future time, or in the shops or stores of the employers, in lieu of United States bank notes or fractional currency, the said person or persons so offending shall be liable to indictment and punishment, by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or both, according to the discretion of the Court: *Provided*, The word "checks" in this Act shall not be construed so as to prohibit the giving of checks upon any of the authorized banks of deposit or issue in this State."

Issuing of  
checks to la-  
borers unla-  
wful.

Penalty.

This provi-  
sion not appli-  
cable to Bank  
checks.

Approved March 11, 1875.

A. D. 1875. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND**  
**SECTION 2 OF CHAPTER XXV OF THE GENERAL STATUTES**  
**No. 723. OF SOUTH CAROLINA."**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend Section 2 of Chapter XXV of the General Statutes of South Carolina," approved January 25, 1873, be, and the same is hereby, amended by striking out, on the eleventh line thereof, the word "eight," and inserting in lieu thereof the word "six," two of whom shall be for and reside in the town of Georgetown; also, on the eighth line of the said Section 1, after the word "Charleston," strike out the words "twenty-four," and insert in lieu thereof the words "twenty-eight;" on line ten, after the word "Darlington," strike out the word "ten," and insert in lieu thereof the word "six;" on line twelve, after the word "Lexington," strike out the word "nine," and insert in lieu thereof the word "eleven."

Approved March 13, 1875.

**No. 724. AN ACT TO INCORPORATE THE TOWN OF REEVESVILLE, IN THE COUNTY OF COLLETON.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided sixty days in the town of Reevesville shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Reevesville, and its corporate limits shall extend one-half mile in every direction from the South Carolina Railroad Company's depot.

**SEC. 2.** That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Monday in April, 1875, and on the same day of each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the

Court of Common Pleas for Colleton County shall designate three suitable persons, citizens of said town, to act as Managers of Election, and that the Intendant and Wardens, for the time being, shall annually appoint Managers to conduct each ensuing election.

A. D. 1875.

Managers.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted and now governing the town of Branchville.

Invested with  
powers. Act.  
conferred on  
town of  
Branchville.

SEC. 4. That this Act shall be deemed a public Act, and continue in force until repealed.

Approved March 11, 1875.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE GERMAN RIFLE CLUB, OF CHARLESTON, AND TO RENEW AND EXTEND THE SAME. No. 725.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the German Rifle Club, of Charleston, be, and the same is hereby, renewed and extended, with the rights and privileges and subject to the conditions hereinafter provided.

Charter re-  
newed.

SEC. 2. That the said corporation, under the name of the German Rifle Club, of Charleston, shall hereafter continue a body politic and corporate, and shall continue to have perpetual succession of officers and members according to its by-laws, and shall have power to make rules and by-laws not repugnant to the laws of the land, and to have and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded in any Court in this State, and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, acquired by it, and which may be given, bequeathed or devised to it, or may be acquired by purchase or in any other manner by said corporation.

Powers and  
privileges.

SEC. 3. That the said corporation may, from time to time, invest their funds, moneys, assets, and all other property which it may acquire, in such real or personal property, stocks, public or private, notes, bills, bonds, with or without security, by mortgage of real or personal property or by surety, in such sums and on such terms and conditions as it may deem proper; and it shall and may be lawful for said corporation, from time to time, and at all times, to sell, convey, mortgage, assign or transfer any or all of its property, real

Investment  
of funds.



A. D. 1875.

and personal, as and when it may deem proper and expedient, and to make and execute bonds, under the corporate seal, with or without mortgage of real or personal property.

May open  
club barrooms,  
&c. during festi-  
val, without  
license.

SEC. 4. That the said corporation is hereby authorized and entitled, without any further license, during their annual festival, to be held on their grounds near Charleston, to open club bar-rooms, billiard-rooms and ten-pin alleys, to and for their own pleasure and that of their guests; this privilege only being granted for and during the said festival.

Liability of  
members.

SEC. 5. That the members of the said Society hereby incorporated shall be individually liable for the debts of said corporation, each member to the extent of one year's annual arrears, which the said member may owe to the corporation, according to its by-laws, in the year in which he may be sued for said corporation debt, but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

SEC. 6. That this Act shall be taken and deemed a public Act, and shall be judicially taken notice of without being specially pleaded.

Approved March 11, 1875.

No. 726. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A PUBLIC ROAD IN COLLETON COUNTY."

Line of road  
changed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to establish a public road in Colleton County," approved February 27, 1873, be, and the same is hereby, amended, by striking out the following words, occurring on the ninth and tenth lines thereof: "Cohen's Corner, the point of intersection of the Ashepoo Neck Road with the Combahee River," and inserting in lieu thereof the following words: "Green Pond Station, on the Savannah and Charleston Railroad."

Approved March 11, 1875.

No. 727. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED LANDS UPON CERTAIN CONDITIONS THEREIN MENTIONED."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

eral Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to provide for the redemption of forfeited lands upon certain conditions therein mentioned," approved February 13, 1874, be, and the same is hereby, amended so as to read as follows, viz: "That in all cases where lands have been forfeited to the State for the non-payment of taxes, and where the titles to said lands still remain in the State, the owners of said lands, or, if they be dead, their legal representatives or heirs-at-law, shall have the right, and they are hereby authorized, to redeem the same within twelve months from the time when said lands were forfeited, upon the payment of all taxes, costs and penalties due and owing upon the same; and the County Auditors of the several Counties where the said lands are situate, upon the payment of such taxes, costs and penalties within the time herein limited, shall expunge the said lands from the forfeited land record of their respective Counties: *Provided*, That if the owners of said lands, or, if they be dead, their heirs-at-law or legal representatives, shall fail, within the time limited, to redeem said forfeited lands, as hereinbefore prescribed, then any judgment creditor, mortgagee, or other person interested in said lands is hereby authorized to redeem said lands within three months after the expiration of the time limited for the owner or heirs of such person to redeem them, upon the same terms and with the same rights as are accorded in the provisions of this Act to owners, or, if they be dead, their legal heirs or representatives: *Provided, further*, That nothing in this Act shall prevent the owner or others interested in lands which have been heretofore forfeited to the State for a longer time than twelve months, and for which the State still holds the title, to redeem the said lands within twelve months from the ratification of this Act.

SEC. 2. That it shall be the duty of the County Auditor of each County, after the time shall have expired, as hereinbefore provided, for the redemption of lands which have been forfeited to the State for the non-payment of taxes, to give notice of the sale of the same by advertisement in at least one newspaper of the County in which the lands are situated, for thirty days prior to the sale, or, if there be no newspaper in the County, in one which has the largest circulation in said County at the time of such sale. And it shall be the duty of the County Treasurer of each County where such sale is made to attend and conduct such sale; and the payment of all expenses incurred by the advertisement of the lands sold, and the titles to be given for such lands, shall be paid by the party or parties purchasing the same: *Provided*, That such lands shall not be sold at a price less than the aggregate of taxes, costs, penalties, expenses of sale and making out titles on and for such lands.

A. D. 1875.

When forfeited lands may be redeemed, and on what terms.

When judgment creditor may redeem.

Proviso.

Sale of forfeited lands not redeemed within twelve months.

Proviso.

A. D. 1875.

Moneys in  
excess of taxes,  
&c., to be a  
school fund.

SEC. 3. That all moneys accruing under the provisions of this Act, which shall be in excess of taxes, costs, penalties, or other expenses incurred, or claims upon the land due the State, shall be set apart and retained in the hands of the County Treasurer as a school fund for the County in which the forfeited lands have been sold, the said fund to be used for educational purposes only, to be appropriated according to the existing laws of the State.

Governor to  
issue patents.

SEC. 4. That after the purchase money shall have been fully paid, the Governor is authorized and required to cause a patent or patents to be issued to any such person or persons as may be the *bona fide* purchaser, owner, assignee or transferee of such lands or tenements, under and by virtue of any certificate of sale, or under and by virtue of assignment or transfer of such certificate: *Provided*, That in case of an assignment or transfer of a certificate of sale, the person applying for such patent shall give satisfactory proof of the said assignments or transfers to the County Treasurer of the County where the sale is made.

County Treas-  
urer to report  
to General As-  
sembly.

SEC. 5. That the County Treasurer of each County shall, on or before December 15th of each year, report to the General Assembly all lands sold under the provisions of this Act, the certificates of sale issued, as well as the amount of sales and the disposition of the funds so derived.

Disposition  
of moneys re-  
ceived for tax-  
es, penalties,  
&c.

SEC. 6. That all moneys accruing to the State under the provisions of this Act, except as provided for in Section 3 for the school fund, shall be paid over and accounted for in the same manner as all other moneys received for taxes.

Excessive  
valuations,  
how to be rem-  
edied.

SEC. 7. That in all cases where excessive valuations have been charged upon lands forfeited to the State for the non-payment of taxes by the County and State Boards of Equalization, the Comptroller General shall have power, and he is hereby authorized and directed, to reduce the property so assessed to a fair valuation, upon receiving the petitions of the original owners, or their agents, setting forth such fact, approved by the respective County Auditors and County Boards of Equalization, asking for a reduction of the same: *Provided*, That the Comptroller General shall consider such petition reasonable, and the valuation of the property therein represented excessive.

Persons  
aggrieved to  
file petition  
with County  
Auditor.

SEC. 8. That all persons who desire to avail themselves of the provisions of Section 7 of this Act shall make such petition as is therein required to the County Auditor, at least three months before the time of the sale of forfeited lands, as hereinbefore provided; and the said County Auditors, after due consideration, examination and action upon such petitions, shall present the same to the County Board of Equalization of their respective Counties for approval or



disapproval, and without delay forward the same to the Comptroller General, who shall make such reduction as, in his discretion, is just and reasonable.

A. D. 1875.

SEC. 9. That in all cases of reduction of valuations upon forfeited lands made by the Comptroller General in accordance with the provisions of this Act, the Comptroller General shall have power to abate the taxes, costs and penalties upon the said lands which are in excess of what the taxes, costs and penalties would have been upon the said lands if levied and charged upon the valuation as by him reduced and determined.

Comptroller General may abate taxes, &c., on property reduced in valuation.

SEC. 10. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 11, 1875.

#### AN ACT TO INCORPORATE THE ASHLEY RIVER RAILROAD.

No. 728.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from or near a station on the Savannah and Charleston Railroad, in Colleton County, known as "Rantowle's," to or near a point on the Northeastern Railroad, six miles from the city of Charleston, with the privilege of crossing the South Carolina Railroad Company, and of connecting with the said road, and of extending it into the city of Charleston, which Company, when formed with the conditions herein prescribed, shall have corporate existence as a body politic in perpetuity.

Object of corporation.

SEC. 2. That this charter, with the rights and privileges incidental thereto, is hereby granted to and vested in George I. Cunningham, A. C. Richmond, C. O. Witte, C. S. Gadsden, George S. Cameron, and A. F. Ravenel, and their associates, and the same shall be exempt from the operations of the forty-first Section of an Act entitled "An Act to incorporate certain villages, societies and companies," ratified the seventeenth day of December, A. D. 1841.

Corporators.

Exempt from provisions of certain Act.

SEC. 3. That for the purpose of raising the necessary capital stock of said company, it shall be lawful to open books of subscription, as may be deemed proper by the above corporators, to an amount not exceeding three hundred thousand dollars, (\$300,000,) in shares of one hundred dollars (\$100,) each, to constitute a joint capital stock for the purpose of constructing and carrying into operation the aforesaid road, or any part thereof; the time and place for receiving subscriptions shall be fixed by a majority of the corporators, and if

Books of subscription.



A. D. 1875.

they fail to do so, then by any three of them, upon their giving due notice of the same in any newspaper in the city of Charleston, which books of subscription shall be kept open for thirty days; that on each share of stock subscribed the said subscribers shall pay ten dollars to the corporators, who shall deposit the same in any National Bank, when fifty thousand dollars (\$50,000) are subscribed; the said corporators, or any three of them, shall give due notice in some public newspaper of the time and place for organization.

When to be  
declared incor-  
porated.

SEC. 4. Whenever the said sum of fifty thousand dollars (\$50,000) is subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and shall have all the rights and privileges conferred upon the Northeastern Railroad Company, according to their original charter, each subscriber being entitled to a vote for each share of stock; (said charter was ratified December 16, A. D. 1851):

Not exempt  
from taxation.

*Provided*, That nothing herein contained shall be so construed as to exempt the said company from the payment of taxes.

Proxies.

SEC. 5. At the first, and all other meetings of the said company, it shall be lawful for any stockholder to be represented by proxy, whose appointment shall be in writing, signed by such stockholder, but no person not a stockholder shall be such proxy. If the holders of a majority of the shares shall not attend in person, or be represented by proxy at the time and place appointed for any meeting, the stockholders present shall have authority to adjourn the meeting from time to time until a majority of the shares shall be represented; at the first meeting of the stockholders, and annually thereafter, at such time as may be appointed by the by-laws, they shall elect by ballot, to serve for one year, and until another election, a President and six Directors. No person shall be elected as President or Director who is not the owner of at least five shares.

Subscriptions,  
how payable.

SEC. 6. Subscriptions to the stock of the said company shall be payable by instalments, not exceeding twenty dollars per share, at such intervals and under such regulations as may be prescribed by the Board of Directors; due notice shall be given in any newspaper of the time of payment of each instalment; and in case any instalment on any share shall remain unpaid for the space of ninety days after the time appointed for the payment thereof, such share shall be liable to forfeiture, and the company may declare the same forfeited and vested in the company, but such forfeiture shall be deemed to discharge the defaulting stockholder from the obligation to pay the amount remaining unpaid on the forfeited share.

Shares of de-  
faulters to be  
forfeited.

Shares per-  
sonal property.

The shares of the capital stock of said company shall be personal property, and shall be assignable and transferable in such manner and under such regulations as may be prescribed by the by-laws.

SEC. 7. The said company shall have the right to build bridges across navigable rivers and streams: *Provided*, They shall put in good and sufficient draws and shall construct necessary stations and turn-outs with one or more tracks of same gauge as that of the Northeastern Railroad.

A. D. 1875.

May build bridges, &amp;c.

SEC. 8. They shall have the right of selling out, leasing, renting, assigning and transferring all the franchises, rights and privileges hereinbefore granted, to any duly incorporated company in the State of South Carolina: *Provided*, Such sale, lease, rentings, assignments and transfers, shall have the consent in writing of three-fourths of the stock subscribed.

May sell or lease, &amp;c., to any incorporated company in State.

SEC. 9. The President and Directors of the said company shall have authority to carry into execution all the powers hereby granted to the company, subject to such limitation and restriction as may be imposed by the by-laws. There shall be at least one meeting of the stockholders annually at such time as may be appointed by the by-laws, at which the President and Directors shall make a report in writing of the affairs and condition of the company. Other meetings may be called by the President and Directors, whose duty it shall be to call a meeting of the company whenever it is demanded in writing by twenty stockholders having three hundred shares or more. It shall be lawful for the stockholders, at any meeting, to remove the President and Directors, or any of them, from office, and to elect others in their stead. The President and Directors shall have authority to draw out the money deposited in bank by the Commissioners for receiving subscriptions to the stock of the company.

Powers of officers.

Annual meetings.

Special meetings.

Right to remove officers.

SEC. 10. It is hereby provided that the said road shall be commenced within one year and completed within five years after the passage of this Act, or the charter thereof shall be forfeited: *And provided, further*, That said road shall be subject to the provisions of "An Act to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," ratified September 22, A. D. 1868.

When road to be commenced and completed.

Approved March 11, 1875.

A. D. 1875. **AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF**  
 No. 729. **LAURENS COUNTY TO LEVY AND CAUSE TO BE COLLECTED A**  
**SPECIAL TAX OF THREE MILLS ON THE DOLLAR OF ALL**  
**TAXABLE PROPERTY OF SAID COUNTY.**

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Laurens County be, and they are hereby, authorized and required to levy and cause to be collected a special tax of three mills on all the taxable property of said County. Said tax shall be levied and collected at the same time and in the same manner that the general State taxes for the fiscal year commencing 1st November, 1875, are collected, and shall be devoted exclusively to the payment of the past due indebtedness of said County of Laurens.

Approved March 15, 1875.

No. 730. **AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF**  
**TRIAL JUSTICES IN AND FOR THE COUNTY OF CLARENDON.**

**SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the Senate, six Trial Justices for the County of Clarendon, and no more, one of whom shall reside at the town of Manning, and the others at different and convenient portions of said County, to hold their offices for the term of two years, unless sooner removed by the Governor.

**SEC. 2.** That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, the said Trial Justice at Manning shall be allowed a salary of two hundred dollars per annum, and each of the other Trial Justices of said County the sum of one hundred dollars per annum, payable quarterly, on the first of January, April, July and October, by the County Treasurer of such County, out of County funds, and no account or claim other than for such salary shall be preferred by, allowed or paid to, any Trial Justice of said County by the said County on account of criminal proceedings.

**SEC. 3.** That the said Trial Justices for Clarendon County are hereby required, on the first Monday of each and every month, to file with the Clerk of the Circuit Court of said County a report, duly veri-

fied, of all the fees and costs charged, and fines imposed in criminal cases and proceedings had before them, whether the same be charged and imposed against the defendant or against the party complaining, and immediately upon the filing of such report the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

A. D. 1875.

SEC. 4. That all the appointments of Trial Justices for the County of Clarendon heretofore made shall cease and determine after appointments made under the provisions of this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately thereafter.

Appointments heretofore made, when to cease.

SEC. 5. That the Trial Justices appointed for Clarendon County may each appoint one Constable, and no more, to serve the processes of their respective Courts, removable at pleasure. The Constables so appointed shall receive an annual salary as follows: The Constable appointed by, and who serves, the Trial Justice at Manning, the sum of one hundred dollars, and each of the other Constables so to be appointed by the other Trial Justices outside of the town of Manning, the sum of seventy-five dollars; said salaries to be paid at the times and in the manner as provided by Section 2 of this Act.

Constables, salary, &c.

SEC. 6. That if either of the Trial Justices appointed for the County of Clarendon shall neglect to attend to the duties of their office, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and on conviction shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Penalty for neglect of duty, extortion, &c.

SEC. 7. That the County Commissioners of Clarendon County shall audit and cause to be set aside annually, out of the County funds, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty of which shall be fine or imprisonment, as may be deemed best in the judgment of the Court.

Salaries to be set aside.

SEC. 8. The Trial Justices so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties, the bond to be approved by the Judge of the Third Circuit.

Bond, amount, and by whom approved.

SEC. 9. That all Acts and parts of Acts inconsistent with the provisions of and for the purposes of this Act be, and the same are hereby, repealed.



A. D. 1875. **AN ACT TO CHANGE THE NAMES OF WILLIAM GEORGE PALMER AND FRANCES CLEMENTINE PALMER, OF ANDERSON COUNTY, TO WILLIAM GEORGE GARRISON AND FRANCES CLEMENTINE GARRISON, AND MAKE THEM THE LAWFUL HEIRS OF HENRY GARRISON AND FRANCES GARRISON.**

No. 731.

W. G. Palmer,  
et al., names  
changed to  
Garrison.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of William George Palmer and Frances Clementine Palmer, of Anderson County, be, and the same are hereby, changed to William George Garrison and Frances Clementine Garrison, and the said William George Garrison and Frances Clementine Garrison shall hereafter be deemed the lawful heirs of Henry Garrison and Frances Garrison, of the County of Anderson, State of South Carolina.

Approved March 17, 1875.

No. 732. **AN ACT TO INCORPORATE THE TOWN OF CENTRAL, IN PICKENS COUNTY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Central, shall be deemed, and are hereby declared, a body politic and corporate; and said town shall be called and known by the name of Central, and its limits shall be deemed and held to extend one-half a mile in each direction from the Air Line Railroad Depot at said place.

Corporators.

Corporate  
limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1875, as well as on the first Monday in April of every year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof, in writing, being previously given; and that all the male inhabitants of said town of the age of twenty-one years, who have resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from seven in the morning until six o'clock in the evening, when the poll shall be closed and the Managers shall count the votes and proclaim the election, and give

Officers.

Election.

Electors.

notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and the following oath, to wit: "As Intendant (or Warden) of Central, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."

A. D. 1877.

Oath of office.

SEC. 3. That in case a vacancy shall occur in the office of the Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held, by appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' public notice thereof, as aforesaid, being given, and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Vacancies.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices and Justices of the Peace in this State, in matters civil and criminal, within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Central; and they and their successors in office shall have a common seal; and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, and be subjected to all the duties, penalties and regulations, by the laws of the State, for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under the corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars. All fines may be collected by an action for debt before a proper tribunal.

Judicial powers.

Marshals.

SEC. 5. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify

Nuisances.

A. D. 1875.

and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce performance of the same under the same penalties as are now, or hereafter may be, established by law: *Provided, always, nevertheless,* That the said Town Council shall have power to compound with the persons liable to perform such duty, under such terms as they shall by ordinance establish.

Roads and  
streets.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the Commissioners of Roads within the limits of said town; and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they are hereby individually exempt from the performance of road and public duty; and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.

May compound  
with persons  
liable to road  
duty.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.

May hold and  
convey property.

SEC. 8. That the said Town Council of Central shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or in any way transfer the same, or any part thereof: *Provided,* The amount of property so held, or stock invested, shall in no case exceed the sum of twenty thousand dollars.

Annual tax.

SEC. 9. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided,* Said tax does not exceed the sum of fifteen cents on the one hundred dollars.

Sales at auction.

SEC. 10. That the Intendant and Wardens of the said town of Central shall have power to regulate sales at auction within the limits of said town, and grant licenses to auctioneers: *Provided,* That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Courts, Judge of Probate, Coroners, Executors, Administrators, Assignees, or by any other person under the order of any Court or Magistrate.

Sidewalks.

SEC. 11. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said town of Central to keep in repair the sidewalks adjacent to their lots,

respectively, and for default in this matter shall have power and authority to impose a fine not exceeding four dollars.

A. D. 1875.

SEC. 12. That the authority to refuse or grant licenses to keep a tavern, or retail intoxicating drinks, be, and the same is hereby, vested in the Town Council of Central; and that they be also invested with all the necessary power, by ordinance or ordinances, to suppress or regulate intoxicating drinks, to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or out-houses of the said town, or within half a mile of the Atlanta and Richmond Air Line Railroad depot in said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State.

Licenses.

SEC. 13. For the purpose of holding the first election under this Act the Clerk of the Court of Common Pleas of Pickins County shall designate three suitable persons, citizens of said town, to act as managers of the election, and said managers, so appointed, shall give at least ten days' previous notice of said election.

Managers of first election.

SEC. 14. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 17, 1875.

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AN ACT TO CONFER THE RIGHTS OF LEGITIMACY ON CERTAIN CHILDREN HEREIN MENTIONED. No. 733.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Caroline Kemp Moody and Anna Dora Moody, children of John A. Moody and Elizabeth Moody, be, and they are hereby, invested with all the rights and privileges of legitimate children, in the same manner, and to the same extent, as if they had been born in lawful wedlock.

Caroline K. and Anna D. Moody legitimized.

Approved March 17, 1875.

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AN ACT TO ALTER AND AMEND SECTION 148 OF CHAPTER CXXII OF TITLE V, PART III, OF THE GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA, RELATING TO THE TRIAL OF CIVIL ACTIONS. No. 734.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,



A. D. 1875.

Action, where  
to be tried.

and by the authority of the same, That Section 148 of Chapter CXXII of Title V, Part III, of the General Statutes of the State of South Carolina, be, and the same is hereby, altered and amended so as to read as follows: "In all other cases the action shall be tried in the County in which the defendant resides at the time of the commencement of the action; and, if there be more than one defendant, then the action may be tried in any County in which one or more of the defendants to such action reside at the time of the commencement of the action, or if none of the parties shall reside in the State, the same may be tried in any County which the plaintiff shall designate in his complaint, subject, however, to the power of the Court to change the place of trial in the cases provided by statute."

Approved March 17, 1875.

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No. 735. AN ACT TO AMEND THE CHARTER OF THE HOME INSURANCE COMPANY, OF CHARLESTON.

Relative to  
manner of vot-  
ing.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act approved February 26, 1869, entitled "An Act to incorporate the Home Insurance Company, of Charleston," be so amended that in all elections and other corporate acts done by the stockholders of the said company, every stockholder shall be entitled to one vote for each share owned by him or her, or standing in his or her name, and that any provisions of the said Act inconsistent therewith be, and the same is hereby, repealed.

Approved March 17, 1875.

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No. 736. AN ACT TO AMEND THE CHARTER OF THE MOUNT PLEASANT AND SULLIVAN'S ISLAND FERRY COMPANY.

Preamble. Whereas the capital of the Mount Pleasant and Sullivan's Island Ferry Company, under the provisions of their charter, has been fixed at eighty thousand dollars; and whereas the said company has presented its petition showing that the actual value of its property is not more than forty thousand dollars, and praying thereupon that its capital be reduced to this extent:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That the Board of Directors of the said Mount Pleasant and Sullivan's Island Ferry Company be, and they are hereby, required to consolidate the shares of the said company by calling in their said shares, and by issuing one share of the par value of fifty dollars for every one of their present shares, so that the capital of said company shall be reduced from eighty thousand dollars to forty thousand dollars.

A. D. 1875.  
Consolidation  
of shares.

SEC. 2. That the said Board of Directors are hereby further authorized and empowered, from time to time, to open books of subscription for the purpose of increasing the capital stock of said company, and from time to time to issue shares of the par value of fifty dollars each for such subscription: *Provided*, That the capital of said company shall not exceed two hundred thousand dollars.

Books of sub-  
scription to in-  
crease capital  
stock.

SEC. 3. That each stockholder in the said company shall be liable to the creditors thereof to an amount not exceeding ten (10) per cent. of the par value of the shares held by such stockholder during the time the debt was contracted, over and above the value of the said shares.

Liability of  
stockholders.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1875.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO LEVY AND COLLECT ONE AND ONE-HALF ( $1\frac{1}{2}$ ) MILLS ON THE DOLLAR, AND OTHER MATTERS THEREIN MENTIONED.

No. 737.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Newberry be, and they are hereby, authorized and required to levy and have collected, in the same manner, and at the same time the general tax for said County is levied and collected, a special tax of one and a half ( $1\frac{1}{2}$ ) mills upon the dollar of all the taxable property of said County for each successive year until the past indebtedness of said County is paid, to be applied, *pro rata*, to the past due indebtedness of the County of Newberry, contracted prior to the first day of November, A. D. 1874, as hereinafter provided: *Provided*, That all persons holding claims against the said County which have not already been registered at the County Commissioners' office shall be, and are hereby, required to

Special tax  $1\frac{1}{2}$   
mills.

Registry of  
claims.

- A. D. 1875. file a list of the same, with the amounts and dates thereof, in the office of the County Commissioners within ninety days after the passage of this Act: *Provided, further,* That due notice shall be given by publication in one or more newspapers of the County, to be at least three issues thereof, of the opening of a book of registry for such purpose by the County Commissioners.
- Disposition of tax. SEC. 2. That the County Treasurer of Newberry County shall devote the proceeds of such special tax to the payment of all claims registered as hereinbefore provided; and should the amount of such special tax, collected in the first year after the passage of this Act, be insufficient to pay the entire indebtedness of the said County, then the County Treasurer of said County shall pay out the same *pro rata*, and continue the same from year to year until the whole amount of such indebtedness shall have been paid, endorsing each partial payment on each claim presented, which shall have the word "registered," with the date of registration, written across the face of the same, in red ink, over the signature of the Clerk of the Board of County Commissioners; and the party receiving such partial payment shall receipt to said Treasurer for each partial payment, the said receipt to be kept and filed by said Treasurer as his voucher.
- When to be paid *pro rata*. SEC. 3. That when the final payment upon each claim shall have been made and endorsed upon such claim the said claim shall be taken by the County Treasurer in addition to the receipt for such final payment from the party receiving such payment, and the said Treasurer shall return the same to the County Commissioners of Newberry County, which shall be kept on file in their office with the papers to be known as the "Newberry County debt papers."
- Method of payment. SEC. 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.
- When claims to be taken up.
- Disposition of same.

Approved March 17, 1875.

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No. 738. AN ACT TO AMEND AND RENEW THE CHARTER OF THE TOWN OF ABBEVILLE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act all and every person and persons whatsoever, who are constitutionally qualified to vote for members of the Legislature of this State, and who may have resided within the corporate limits of the town of Abbeville sixty

Corporators.

days, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

A. D. 1875.

SEC. 2. That the said persons and their successors shall, from and after the passage of this Act, be and become a body politic and corporate, and shall be known and called by the name of the town of Abbeville, and its corporate limits shall extend one mile and a quarter in the direction of the cardinal points from the Court House in said town as a centre, and form a square.

Corporate limits.

SEC. 3. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday of September in each year, two weeks' notice being previously given, and shall continue in office for one year, and until the election and qualification of their successors, and that all male inhabitants of said town, who shall have attained the age of twenty-one, and resided therein sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens.

Officers.

Electors.

SEC. 4. That the election of Intendant and Wardens of the said town shall be held in some convenient public place in said town, to be designated in the notice of election, from six o'clock in the morning until six o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and proclaim the election, and give notice in writing to the persons elected. The Intendant and Wardens, for the time being, shall always appoint three (3) Managers to conduct said election, who, before they open the polls for said election, shall take an oath fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of their office, shall, respectively, take the oath prescribed by the Constitution of this State, and, also, the following oath, to wit: "As Intendant (or Warden) of the town of Abbeville, I will equally and impartially, to the best of my ability, execute the trust reposed in me, and will faithfully perform the duties thereof: So help me God." The Intendant's term of office shall continue until his successor shall have been sworn, and the Wardens' term of office shall continue until the election of their successors shall have been declared, and until one of those successors shall have been sworn, when the Intendant and the successors so sworn shall determine which of said Wardens shall be thereby displaced, and so on until the whole of the successors shall have been sworn. In case any person elected Intendant or Warden should refuse to be sworn, or an election should fail to be made on the second Monday of September, a special election shall be ordered by the Intendant and Wardens, to be held as aforesaid, after five days' notice, and any vacancy in the office of Intendant or Wardens, occasioned by death, resignation, removal from the town, or removal

Election.

Oath of office.



A. D. 1875.

from office, may be filled by a like special election for the remainder of the term. And the Wardens, met in Council, shall have power, by electing one of themselves Intendant, to supply the place of the Intendant, in case of his temporary absence from Council, until his return, or in case of vacancy in the office, until an Intendant shall have been elected and sworn.

Judicial powers.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, except the trial of civil causes within the limits of said town; and the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any three of whom may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Abbeville; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances, may sue and be sued, may plead and be impleaded, in any Court in this

Nuisances.

State. They shall have power to abate and remove nuisances within the limits of the corporation, and under its corporate seal to enact all such ordinances as may be necessary to regulate the practice of the Council, and all such ordinances respecting the streets, ways, lots, fences, markets and police of the said town, or for preserving cleanliness, health, peace, order and good government within the same, and to prevent the violation of its ordinances by ordering fines, penalties and imprisonment for the violation thereof: *Provided*, That no fine shall exceed thirty dollars for any one offense, and no imprisonment shall exceed thirty days.

Road and street duty.

Trials.

SEC. 6. When any offense against the ordinances of the said town is charged, for which a fine of more than twenty dollars is ordained, the said charges shall be heard and determined in an action of debt, to be brought in the name of the Town Council for the recovery of said fine before a Court having jurisdiction of causes of action of that amount for Abbeville County; if the fine ordained may, according to discretion, be above or below twenty dollars, or the offense be one for which imprisonment is ordained, the Council may, according to its opinion of the case, try the offender, and inflict a fine less than twenty dollars or imprisonment not exceeding twenty days, or, in lieu of imprisonment, to hard work on the public streets, at the rate of one day for each one dollar of fine, or may direct proceedings in the Court of Sessions for said County. In all cases of trials to be had before the said Town Council, the party charged shall be cited to trial by a service upon him of a summons, under the hand of the Intendant or any one of the Wardens, wherein shall be expressed, with certainty, the offense charged and

the time and place of trial, which service shall be made at least five days before the day of trial; and all persons so charged may be required to give bond with security for their appearance to answer said charge, or be kept in confinement until the day appointed for trial.

A. D. 1875.



SEC. 7. That all fines imposed by the said Town Council for any violation of ordinances, or any default in the performance of street duty, shall be collected by *feri facias*, and the said Town Council shall have power to procure and compel the attendance of witnesses by process similar to that which by law Magistrates or Trial Justices may use in the trial of small and mean causes.

Fines.

SEC. 8. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses for billiard tables, ten pin alleys, and to keep taverns, or retail spirituous liquors within the said limits, which licenses shall be granted in the same manner and upon the same condition as they now are, or may hereafter be, under the laws of the State; and all the powers vested in the County Commissioners are hereby granted to the said Intendant and Wardens, within the said limits, and all moneys paid for licenses, fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, and ten pin alleys within said limits without licenses, shall be appropriated to the public uses of the said corporation: *Provided*, That the Intendant and Wardens duly elected and qualified shall not have power to grant any licenses to keep a tavern or to retail spirituous liquors to extend beyond the first of January after the expiration of the term for which they shall have been elected.

Licenses.

SEC. 9. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair, and for that purpose they are invested with all the powers granted to the County Commissioners; and they shall also have power to compound with all persons liable to work the streets, ways and roads in said town, upon such terms as they shall by ordinance establish, the money so received to be applied to the public use of the said corporation, and all persons refusing or failing to pay such commutation shall be liable to such fines and penalties as the said Town Council may impose; and no person residing within the said limits shall be liable to work on any road or bridge without the said limits, or be taxed or assessed for the same.

Roads and  
streets, &c.

SEC. 10. That the Intendant and Wardens shall also have power to require license fees from itinerant peddlers and auctioneers selling at public auction, and to collect licenses from all persons representing publicly within the corporate limits for gain or reward any plays or shows of what nature or kind soever, to be used for the

A. D. 1875.

Annual tax.

purposes of said corporation ; they shall also have power to impose an annual tax not to exceed the rates per centum or sums herein-after specified upon the following property, and after the following manner, that is to say : twenty cents on every hundred dollars of the cash value of all real and personal estate, (the real estate of all churches and school associations excepted,) which valuation shall be ascertained and fixed by the Town Council for the time being : *Provided*, That if the owner of any real estate shall consider himself aggrieved by such valuation, he shall have the right to appeal to a special jury of five freeholders, to be drawn by ballot from the list of persons who own real estate and are residents within said corporation, to whom the matter shall be submitted, and whose decision shall be final ; fifty cents on each dog.


Returns of  
property.

SEC. 11. That the owners of all property upon which a tax is herein authorized to be levied shall make their returns upon oath to the Town Council of the amount or value thereof, as the case may be, during the month of January, in each year, and pay the taxes thereon by the first day of March next ensuing, the rate of taxes to be imposed under this Act to be fixed and adopted by the said Town Council by ordinances during the month of January of each year.

Executions.

SEC. 12. That the said Town Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act against the property and persons of defaulters to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation and directed to the Town Marshal or other persons especially appointed by the Council to collect the same, the money so collected to be applied to the public uses of the said corporation ; and all property upon which a tax shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to other debts due by the person owning the property at the time of the assessments, except debts due the State, which shall be first paid ; and that each Town Council shall, on the first day of September, previous to the expiration of their term of office, make out and file in the office of the Clerk of the County a full exhibit of their receipts and expenditures, and furnish to their successors, when elected and qualified, a copy thereof, and shall, within one month after the expiration of their term of office, pay over all moneys in their hands belonging to the corporation, and deliver up all books, papers and other records incident to office to their successors, and on failure to do so shall be liable to the punishment prescribed in the fourteenth Section of this Act.

SEC. 13. That the Intendant and Wardens shall have power, and are hereby authorized, to elect or appoint one or more Town Marshals, who shall be sworn in and invested with all powers Constables now have by law, and whose jurisdiction and authority shall be confined to the corporate limits of said town; and the Intendant and Wardens, or any one or more of them, are hereby authorized to require the Marshal of said town, or any special Constable appointed by said Intendant and Wardens for that purpose, to commit to the Jail of Abbeville County or other secure place of custody, for a time not exceeding twenty-four hours, any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town or any of them; and all persons so imprisoned shall pay all costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine which the Council may impose for the offense for which he may have been committed.

A. D. 1875.  
  
 Marshals.

SEC. 14. That for willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, severally, shall be liable to indictment in the Court of Sessions, and, upon conviction, to imprisonment and fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or both, at the discretion of the Court, besides being liable for damages to any person injured.

Penalty for  
neglect, &c.

SEC. 15. That this Act shall be a public Act, and continue in force for twenty years, and until the end of the Session of the Legislature then next ensuing, and that all Acts and parts of Acts heretofore passed inconsistent with or repugnant to this Act, be, and the same are hereby, repealed.

Approved March 17, 1875.

AN ACT TO CONFER THE RIGHTS OF LEGITIMACY UPON WILLIAM No. 739.  
 II. PRUIT, OF ANDERSON COUNTY, SOUTH CAROLINA.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William H. Pruit, son of Joshua Pruit and R. E. Pruit, of the County of Anderson, born out

W. H. Pruit  
legitimized.



A. D. 1875.

of wedlock, be, and he is hereby, invested with all the rights and privileges of a legitimate child, in the same manner, and to the same extent, as if he had been born in lawful wedlock; and upon the death of his said father, Joshua Pruitt, (provided he should die intestate,) he, the said William H. Pruitt, shall inherit the property of his said father in common with his other legal heirs.

Approved March 17, 1875.

No. 740. AN ACT TO AUTHORIZE THE FAYETTEVILLE AND FLORENCE RAILROAD COMPANY TO EXTEND THEIR ROAD FROM THE NORTH CAROLINA LINE, NEAR McINNIS' BRIDGE, TO FLORENCE, IN THIS STATE, AND FOR OTHER PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Fayetteville and Florence Railroad Company, a corporation duly authorized and existing under and by virtue of the laws of the State of North Carolina, is hereby fully authorized and permitted to construct a railroad from a point on the North Carolina line, where the survey and location of said company's road terminates, near McInnis' Bridge, to Florence, in the State of South Carolina, and to operate and manage the same, or any part thereof, when so constructed.

Line of road.

Books of subscription.

SEC. 2. That for the purpose of raising the means to construct said road, and to equip and operate the same, the said company may open books of subscription in this State to the capital stock thereof, at such time, in such places, in such manner, and under the supervision of such persons as the President and Directors of said company may authorize, and to close and re-open the same at pleasure, until the amount required to construct, equip and successfully operate the same, has been obtained.

General powers.

SEC. 3. That the Fayetteville and Florence Railroad Company shall be capable, in this State, of purchasing, holding, selling, leasing and conveying estates, real, personal and mixed, and of acquiring the same by deed, gift, devise, or otherwise, so far as shall be in accordance with the object and intent of this Act, and shall have perpetual succession, and, by their corporate name, sue and be sued, plead and be impleaded in all the Courts of this State, and may have and use a common seal, which may be altered or renewed at pleasure, and shall have and enjoy all other rights and immunities which other railroad companies may and of right do exercise, and may make all such by-laws and regulations as are necessary for the

government of said corporation, or affecting the object for which it is created, not inconsistent with the Constitution and laws of this State.

A. D. 1875.

SEC. 4. That said company shall be duly authorized to collect all the stock subscribed for, upon the terms and conditions, and at the time and in the manner agreed upon between the subscriber and the company at the time of making the subscription. The company may at any time after giving thirty days' notice in one or more newspapers published in the vicinity of the line of road, sell the stock of any delinquent subscriber, and in case said stock does not produce a sufficient amount to pay the subscription, or any balance thereof unpaid, then the company may recover in an action such deficiency from the subscriber, in any Court of competent jurisdiction. No stock shall be transferred until the same shall have been fully paid or secured to be paid to the satisfaction of the company.

May enforce  
payment of  
subscription.

SEC. 5. That said company, to aid in the construction, equipment and operation of its road, may borrow money on the credit of the company and on the mortgage of its charter, franchises and works, or any part thereof; and the manner in which the same may be done shall be directed by the stockholders, or by the President and Directors of said company, under the authority of the stockholders.

May borrow  
money, &c.

SEC. 6. That said company may begin the construction of said road at any point that it may determine, and shall have the power of using any portion of the road constructed by them before the whole is constructed, and may charge for transportation thereon.

When may  
begin construction  
of road.

SEC. 7. That said company shall have the right, when necessary, to construct said road across or alongside of any public road: *Provided*, That said company shall not obstruct the public highway until they have constructed as good a road, and as near the old one as practicable.

May construct  
road alongside  
public road.

SEC. 8. That when any lands or right of way may be required by said company within the limits of this State for the purpose of constructing said road, buildings, warehouses, water stations, workshops and repositories, or for any materials or other necessary grounds for buildings or works for the use of said company, and, for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased, the same may be taken at an assessed valuation, to be made by a jury, in the manner directed and provided in an Act entitled "An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement," approved 22d day of September, A. D. 1868, for ascertaining the compensation for right of

Right of way.

A. D. 1875.

way: *Provided*, That the right of condemnation shall not authorize the taking of more than eighty feet on each side of the centre line of the road-bed, except when the necessities of the company shall require more, and to the taking of more than ten acres at any one place or station for sites of workshops, depots, or other necessary buildings: *And provided*, That said company shall not invade the yard, garden or graveyard of any person without permission.

Exclusive  
right.

SEC. 9. That said company shall have the exclusive right and privilege of conveyance of persons and freights over said railroad, at charges to be fixed by the company.

Counties,  
cities and  
towns may sub-  
scribe to stock.

SEC. 10. That the authorities of any incorporated city or town in this State, or of any County, or any other corporation within or without this State, shall have full power and authority to subscribe to the stock of said company, purchase or guarantee its securities and contracts to such an amount as they may be duly authorized by the inhabitants of the cities, towns and Counties, or the constituted authorities of any other corporations, and may borrow money and may issue evidences of debt upon such terms and conditions as they may be authorized, to pay or secure such purchases or guarantees, and may levy and collect taxes to pay the same: *Provided*, That no subscription to the stock of said company or guarantee of its securities and contracts shall be made, or money borrowed, or evidences of indebtedness issued, or taxes levied and collected to pay the same by the authorities of any County, city, town or village in this State, for any amount in excess of five per centum of the assessed value of the taxable property of such County, city, town or village, without the approval of a majority of the legal voters of such County, city, town or village expressed at an election duly held for such purpose according to law.

SEC. 11. This Act shall be in force from and after its passage.

Approved March 17, 1875.

NO. 741. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-CHARTER WHITE HALL FERRY, IN BEAUFORT COUNTY.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to re-charter White Hall Ferry, in Beaufort County," be, and the same is hereby, amended, by inserting between the word "cents" and the word "and," on the tenth line of Section 1 thereof, the following

Rates of toll  
for children.

words, to wit: "Except children under fifteen years of age, for whom the rate of toll shall be five cents each." That all children under eight years shall pass without any charge whatever.

A. D. 1875.

Approved March 17, 1875.

AN ACT TO EXTEND THE TERMS OF A CHARTER TO INCORPORATE THE TOWN OF WOODRUFF. No. 742.

Whereas the General Assembly of South Carolina did pass an Act entitled "An Act to incorporate the town of Woodruff, in the County of Spartanburg," approved March 14, 1874; and whereas Section 2 of said Act provides for the election of an Intendant and six Wardens, which election was ordered to be held on the second Monday in May, 1874, under the management of A. B. Woodruff, Dr. D. D. Westmoreland, N. B. Davis, A. D. Chamblin and Jesse Leatherwood; and whereas said election was not held at the time above specified, from the fact that said Managers were not apprised of the terms and conditions of this Act until the time appointed for the holding of said election had passed by, thus rendering the remaining portion of said Act of doubtful validity; therefore,

Preamble.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Managers named in said Act, substituting the name of B. E. Fowler for N. B. Davis, who has since died, be, and the same are hereby, authorized and empowered to appoint some suitable day, and after having given public notice thereof, at least ten days beforehand, hold said election, conforming in all other respects to the requirements of the Act before mentioned; and that said Act be and remain of full force and virtue in all other respects.

Election.

Validating  
previous charter  
of town.

Approved March 17, 1875.

AN ACT TO AUTHORIZE THE CHARLESTON, SOUTH CAROLINA, MINING AND MANUFACTURING COMPANY TO CONSTRUCT A PRIVATE RAILROAD FROM THE PLANTATION KNOWN AS "MAGNOLIA," ON THE ASHLEY RIVER, ALONGSIDE OF THE ST. ANDREW'S ROAD, ON THE EAST, TO THE BEE'S FERRY ROAD, OR TO SOME INTERMEDIATE POINT. No. 743.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,



A. D. 1875. and by the authority of the same, That the Charleston, South Carolina, Mining and Manufacturing Company is hereby authorized to construct a railroad or tramway from their plantation, on the Ashley River, in St. Andrew's Parish, known as "Magnolia," to the Bee's Ferry Road, or to some intermediate point, and for that purpose to lay their track along and across any public highway: *Provided*, That such precautions are taken as to offer no hindrance to the public use of such way: *And provided, further*, That the said company keep in good order, at its own expense, the public road alongside of its track, so long as the same is used by the said company for the purposes aforesaid: *Provided*, That the said railroad shall be operated only by dummy fireless steam engines or horse power.

Line of road.

Not to interfere with public.

How to be operated.

Approved March 17, 1875.

No. 744. AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Westminster shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Westminster, and its corporate limits shall extend three-quarters of one mile from the point of crossing of Main and Broad streets, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

Corporators.

Corporate name.

Corporate limits.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the fourth Monday in March, 1875, and every year thereafter on the fourth Monday in March, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Oconee County shall designate three suitable persons, citizens of

Officers.

Electors.

Managers.

the said town, to act as Managers of Election; and that the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election. A. D. 1875.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872. Invested with powers, &c., conferred in charter of town of Ninety-Six.

SEC. 4. This Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 17, 1875.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE INCORPORATION OF THE TOWN OF GEORGETOWN." No. 745.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the incorporation of Georgetown," approved December the 19th, A. D. 1805, be, and the same is hereby, amended so as to extend the limits of the said town from its present boundary line, on the Sampit River, to Sampit Ferry, thence along the old Charleston road leading to said ferry, in a direct line across the Sampit road to the Black River road, thence to the present limits of the town. Corporate limits.

SEC. 2. That when the above mentioned territory shall have been incorporated as a portion of said town, the inhabitants thereof shall be entitled to all the rights and privileges, and be subject to all the duties and liabilities which now attach to the corporators of the town of Georgetown, or which may hereafter be created by law. Privileges and liabilities.

SEC. 3. That every description of property, real and personal, situated, used or occupied within the limits of the said town, which is now subject to taxation, or which hereafter may be made so by the General Assembly for the support of the State Government, shall be, and the same is hereby, made the subject of taxation by the Intendant and Wardens of the town of Georgetown, for the support of the government thereof. Property subject to taxation.

SEC. 4. That immediately after the passage of this Act the present Town Council be, and they are hereby, required, prior to the ensuing municipal election, to divide the town into wards, so as to embrace the new territory, either by extending the limits of the old wards, or by creating new wards; and each ward so extended or City to be divided into wards.

A. D. 1875.  
 Ward repre-  
 sentation.

created shall be entitled to a representation in Council of one Warden, who shall be elected at the regular municipal election, by a majority of the votes cast at the said election in the ward.

Registration.

SEC. 5. That it shall be the duty of the Town Council, on or before the twenty-third day of March, 1875, to cause to be registered in the several wards of said town all the qualified voters living therein, and to cause a like registration to be made each succeeding year, at least ten days preceding every municipal election, and no person who has not duly registered his name and resided ten days within the corporate limits of said town previous to the date of such municipal election shall be entitled to vote: *Provided, however,* That the said Town Council shall give public notice of the time and place of opening such registration books at least two weeks preceding such election, by proclamation duly published in the newspaper having the largest circulation in the said town.

Notice of  
 same.

When polls  
 to be opened  
 and closed.

SEC. 6. That after the passage of this Act, the polls on the day of election shall be open at six o'clock A. M., and close at six o'clock P. M.

SEC. 7. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

OFFICE SECRETARY OF STATE,

COLUMBIA, S. C., March 19, 1875.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,

Secretary of State.

# No. 746. AN ACT TO PROVIDE FOR HOLDING A CERTAIN ELECTION IN BARNWELL COUNTY.

Governor to  
 appoint com-  
 missioners of  
 election.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately after the passage of this Act the Governor shall appoint three (3) Commissioners of Election for Barnwell County, one of whom shall be from the town of Blackville, one from the town of Barnwell, and one from the town of Allendale, in said County, and shall issue his proclamation directing and requiring the said Commissioners, on a

day therein to be named, not exceeding sixty days from the date thereof, to open the polls at the various election precincts in the said County for the purpose of holding an election to determine the will of the people as to the location of the County seat of said County.

A. D. 1875.

To issue proclamation of election to determine locality of County seat.

SEC. 2. That at such election the voting shall be by ballot, each qualified voter of the County being entitled to one vote, upon which shall be written or printed, or partly written or printed, the name of the locality at which he desires the County seat to be located: *Provided*, That, in all respects, the said election shall be held, conducted and determined as is now provided by law for the holding of elections for State and County officers.

Manner of voting.

SEC. 3. That upon the canvassing of the votes given at such election, the Commissioners of Election shall certify to the Board of County Commissioners for said County the number of votes given for each locality, and the locality receiving the greater number of votes shall thenceforth be the County seat of said County, at which place the public offices shall be established, and the Courts thenceforth be held: *Provided*, That the expenses incurred in holding said election shall not be paid by either the County or State.

Certificate of result to be sent to County Commissioners.

Locality receiving majority of votes to be County seat.

State and County not liable for election expenses.

SEC. 4. That should Blackville be so determined on as the County seat of the said County, the County Commissioners for said County shall, within thirty days after the holding of such election, re-purchase the Court House building at Blackville, with its privileges and appurtenances, from the party or parties to whom the same was sold, pursuant to the provisions of the aforesaid Act, if the same can be obtained at a price not exceeding the price at which he or they bought the same; otherwise, shall provide some other suitable and proper building for holding the Courts for said County, and for the public officers of the said County, at Blackville; and shall also provide a jail at Blackville for the custody of prisoners; and shall also provide for the removal to Blackville of all public records, books and papers of the said County; and the County officers in charge of all such public records, books and papers shall forthwith remove the same accordingly; and all the public offices of the said County, which by law are required to be kept at the County seat, shall thereafter be kept at Blackville, as the County seat of said County, and all terms, regular and special, of the Courts of General Sessions and Common Pleas, and of Probate, shall thereafter be held by the Judges thereof, respectively, at Blackville; and all jurors, witnesses and parties heretofore summoned, recognized, or otherwise ordered to appear at any of said Courts appointed to be held at the town of Barnwell shall appear at such Court to be held at Blackville, and all processes heretofore

Duty of County Commissioners if Blackville be declared County seat.

Duty of County officers.

Duty of jurors, witnesses, &c.

Processes heretofore returnable at Barnwell to be returnable at Blackville.



A. D. 1875.

issued and made returnable to the said Courts to be held at the town of Barnwell shall be returnable to the said Courts to be held at Blackville.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 19, 1875.

NO. 747. AN ACT RELATIVE TO CERTAIN SCHOOL OFFICERS IN THE COUNTY OF DARLINGTON.

County school  
examiners, ap-  
pointments and  
duties.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be, in the County of Darlington, in this State, a Board consisting of three (3) members, which shall be known by the name, style and title of Board of County School Examiners, which shall be composed of the County School Commissioner of the said County, who shall be *ex-officio* Chairman and Clerk of the Board, and two (2) other members, one of which shall be appointed by the State Superintendent of Education, and one by the Judge of the Circuit in which said County is a part. Their term of office shall be two years; and in case of vacancies existing for any cause in the case of the two members appointed, they shall be filled by the officers so appointing. It shall be the duty of the Board of County School Examiners aforesaid to examine all persons offering themselves as candidates for teachers of free common schools in the said County in regard to moral character, learning and ability to teach a school, and to give to each person so examined and found qualified, certificates of the following grades, to wit: Certificates of the first grade for teaching grammar schools; of the second grade for teaching unclassified or intermediate schools; of the third grade for teaching primary schools; such examination to be renewed every year; and no person shall be employed to teach in any of the common or public schools of the County of Darlington who has not a certificate of either of the before mentioned grades from the Board of County School Examiners or from the State Superintendent of Education. Said certificates shall be issued to such persons only as shall have passed a satisfactory examination in the studies pursued in the specified grades of the public schools, and shall have given evidence of a good moral character, and of ability and fitness to teach, and shall be signed by the majority of the said County Board of Examiners. The said Board shall also have power to

Certificates,  
to whom to be  
issued.

revoke any certificate by them issued, upon evidence of immoral or unprofessional conduct on the part of any person holding the same. The State Superintendent of Education shall be *ex officio* a member of said County Board of School Examiners.

A. D. 1875.

SEC. 2. That each School District in said County shall be confined to the management of the Board of School Trustees, as hereinafter provided for, and the said Trustees shall be exempt from militia and road duty, and payment of poll tax.

Management  
of school dis-  
tricts.

SEC. 3. That in each School District of the said County there shall be elected by the qualified voters of each District, at a District School meeting, to be held at such place as the County School Commissioner shall name or provide, three District School Trustees; and the said School Commissioner shall give at least five days' notice, by posting a written notice in three of the most conspicuous places in such District, of the time and place of such meeting. At said meeting three School District Trustees shall be elected for the term of one, two and three years, respectively, or until their successors are qualified; such terms to be decided by lot, in the presence of the chairman of said meeting; and each succeeding year thereafter one Trustee shall be elected for the full term of three years: *Provided*, That the said election, and every succeeding election for District School Trustees, shall take place on the last Saturday in June in each year, the time of the holding of the annual meeting of the several School Districts, five days' notice of said meeting, its time and place, being given, as hereinbefore provided: *Provided, further*, That the notice for every succeeding election after the first, as provided for in this Act, shall be given by the Chairman of the Board of Trustees of the respective School Districts.

Election of  
district Trust-  
tees.

Time of elec-  
tion.

SEC. 4. That if the qualified voters of any School District shall fail to meet and elect School Trustees, as prescribed in the next preceding Section of this Act, it shall be lawful for any ten qualified voters of such District to call a special meeting of the voters thereof, for the purpose of electing Trustees, on first giving five days' notice, in writing, of the time and place of holding such meeting; and the Trustees so elected at such special meeting shall hold their office for the same terms as if elected on the last Saturday in June, as prescribed in the next preceding Section of this Act, except that their said terms shall be considered as having commenced on the last Saturday in June next preceding the time of holding such special election. And should the qualified voters of any of the School Districts fail to meet or comply with the provisions of this Act, and elect School Trustees, then the County School Commissioner shall appoint, for such delinquent School Districts, by and

Special elec-  
tion, when and  
how to be held.

A. D. 1875.

When and  
how Trustees  
may be re-  
moved.

Vacancies,  
how filled.

Powers and  
duties of school  
Trustees.

with the advice and consent of the members of the County Board of School Examiners, such Trustees, whose term of office shall be regulated as in the case of Trustees elected at special elections, as hereinbefore provided, that is, their said terms shall commence on the last Saturday in June preceding their appointment: *Provided*, That if the School Trustees of any School District elected or appointed to perform any of the duties herein required, or required in Chapter XXXIX of the General Statutes of South Carolina, shall fail or refuse to perform any of the said duties, the said Trustees shall be removed on petition of twenty of the legal voters of the District for which they were elected or appointed by the School Commissioner of the County of Darlington, and a new election shall be ordered, in the usual form, to fill such vacancies; and in case no election is held by the qualified voters of such District, then the vacancies shall be filled by appointment by the School Commissioner, by and with the advice and consent of the County Board of School Examiners: *Provided, further*, That no such removal of Trustees shall be made if good and sufficient cause can be shown why the Trustees have failed to perform the duties of their office.

SEC. 5. That it shall be the duty of the Trustees in each School District of the said County to take the management and control of the local educational interests of the same, subject to the supervision of the County School Commissioner, and to visit the school or schools of the District at least twice each term, by one or more of their number, with such other person or persons competent to examine pupils in their studies as they may choose to invite. They shall have power, and it shall be their duty, to provide school houses with maps, black boards, furniture and other necessary appendages, including library and cabinet cases, if deemed expedient; to provide books for the indigent children in their district, and to cause the same to be paid out of the school moneys raised in and belonging to their Districts for such purposes. They shall divide the public schools within their Districts into primary, intermediate and grammar school departments, and employ competent and legally qualified teachers for the instruction of the different departments whenever they shall deem such division into departments advisable, provided there be sufficient means for all such departments, and if not, then in the order in which they are herein named. They shall also have power to suspend or expel from any public school in their District, with the advice of the teacher, any pupil who will not submit to the reasonable and ordinary rules of discipline therein.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act are, for the purposes of this Act, hereby repealed.

Approved March 20, 1875.

## AN ACT TO DECLARE CERTAIN LEGAL HOLIDAYS.

A. D. 1875.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That national thanksgiving days, and all general election days, the first day of January, the twenty-second day of February, the fourth day of July and the twenty-fifth day of December, of each year, shall be, and are hereby declared, legal holidays.

No. 748.

Legal holidays.

Approved March 20, 1875.

AN ACT TO VEST ALL THE RIGHT AND TITLE OF THE STATE IN  
AND TO CERTAIN PROPERTY SUBJECT TO ESCHEAT IN CERTAIN  
PERSONS THEREIN MENTIONED.

No. 749.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest of the State in and to the real estate of Anthony Coats, deceased, situate in the County of Anderson, containing one hundred and fifty acres of land, more or less, now liable to escheat, be, and the same is hereby, vested in Mary Smith, Nathaniel Smith, John Owen and Willis Pegg, their heirs, administrators or assigns, forever: *Provided*, That before the said title shall vest, the said parties shall pay all the just debts of the said Anthony Coats, deceased.

Certain  
escheated  
property, in  
whom vested.

Approved March 20, 1875.

AN ACT TO PROVIDE FOR THE ENUMERATION OF THE INHABITANTS OF THE STATE.

No. 750.

Whereas by the fourth Section of the second Article of the Constitution of this State, as ratified on the fourteenth and fifteenth and sixteenth days of April, A. D. 1868, it is provided that, for the purpose of an apportionment of the Representatives of the several Counties of the State, an enumeration of the inhabitants shall be made in 1869, and again in 1875, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed:

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General



A. D. 1875.

Proviso  
stricken out.

Duties of  
Commissioner  
of the Bureau  
of Agricultural  
Statistics de-  
veloped on Sec-  
retary of State.

When returns  
to be com-  
pleted, &c.

Secretary of  
State to furnish  
blanks, &c.

Compensation  
of census  
takers.

Appropriation  
to pay same.

How compen-  
sation to be  
paid.

Secretary of  
State to employ  
clerical service  
to collate re-  
turns, &c.

Appropriation  
to pay same

Assembly, and by the authority of the same, That Chapter XXVII, Title VI, Part I, of the General Statutes of South Carolina, be, and the same is hereby, amended as follows, viz: Strike out of Section 1 of the said Chapter the following proviso: "*Provided*, That the number of assistants shall not exceed four in each County, except in the County of Charleston, in which County the number of assistants shall not exceed six." Strike out of the Sections of the Chapter, wherever found, the words "Commissioner of the Bureau of Agricultural Statistics" and "Commissioner," and insert "Secretary of State" in the place thereof. Strike out the following in Section 6, viz: "when completed, and forward the same by the first day of November," and insert in the place thereof the words, "which shall be completed and forwarded on or before the fifteenth (15th) day of September, 1875, and on the same day every tenth year thereafter." Also insert between the words "prepared" and "on," in Section 7, the following, viz: "and forward to the census-takers in each County," so as to read, "that it shall be the duty of the Secretary of State to have prepared and forwarded to the census-takers in each County, on or before the fifteenth (15th) day of April, 1875, and on the same day every tenth year thereafter, suitable books, blanks and instructions," &c. Strike out all in Section 7 after "the General Assembly," in the last line but one, and insert the words "within one week after it shall have convened at its next regular session."

SEC. 2. That Section 9 of Chapter XXVII, Title VI, Part I, of the General Statutes, be struck out, and the following become Section 9: "That the census-takers employed in taking the census shall be entitled to receive as compensation in full for all services rendered the sum of five (5) cents for every name taken, registered and returned in their reports to the Secretary of State. Such compensation shall be paid out of the phosphate royalties for the fiscal year ending November 1, 1875, which shall be reserved and made a specific fund for the payment of said compensation and the clerical service hereinafter authorized, said compensation to be paid upon warrants to be drawn by the Comptroller General whenever he shall have received satisfactory proof that the services of the claimant have been faithfully rendered; and the Secretary of State is hereby authorized to employ such clerical service as will be necessary to assist him in collating and making his returns to the Governor and General Assembly, such service to be paid for out of the phosphate royalties, as before provided, on the Comptroller General's warrant, on the application of the Secretary of State: *Provided*, That the said clerical services shall not exceed the sum of three hundred dollars."

Approved March 20, 1875.

AN ACT TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT  
MAY OCCUR IN CERTAIN STATE OFFICES.

A. D. 1875.

No. 751.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in case any vacancy shall occur in the office of Comptroller General, Treasurer, Secretary of State, Attorney General, Superintendent of Education, or Adjutant and Inspector General, by death, resignation or otherwise, such vacancy shall be filled by an election, by joint ballot of the General Assembly, a majority of the votes given being necessary to a choice: *Provided, however,* That if such vacancy shall occur during the recess of the General Assembly, the Governor shall fill such vacancy by appointment, until an election by the General Assembly, as aforesaid, at its next meeting.

Vacancies to  
be filled by  
the General As-  
sembly.

When Gover-  
nor may fill  
vacancies.

SEC. 2. That all Acts or parts of Acts conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 20, 1875.

AN ACT TO RENEW THE CHARTER OF THE CANNONSBORO  
WHARF AND MILL COMPANY.

No. 752.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter granted to the Cannonsboro Wharf and Mill Company, on the 21st day of December, in the year of our Lord one thousand eight hundred and fifty-seven, for fourteen years, under Sections 16, 17 and 18 of the general incorporation Act, passed 21st December, A. D. 1857, and which expired on the 21st December, A. D. 1871, be, and the same is hereby, renewed for a like period of fourteen years from the said 21st day of December, Anno Domini eighteen hundred and seventy-one.

Charter re-  
newed.

Approved March 20, 1875.

AN ACT TO REPEAL SO MUCH OF AN ACT ENTITLED "AN  
ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS," AS  
PROVIDES FOR THE GRANTING OF CHARTERS TO MILITARY  
COMPANIES.

No. 753.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875.

No charters  
to be granted  
to military  
companies ex-  
cept National  
Guard.

and by the authority of the same, That so much of an Act entitled "An Act to provide for granting of certain charters," approved February 20, 1874, as provides for the granting of charters to military companies by the Clerks of Court, in the several Counties in this State, be, and the same is hereby, repealed, so far as may relate to the granting of charters to companies other than the regularly organized militia of the State, known as the National Guard of the State of South Carolina.

Approved March 20, 1875.

No. 754. AN ACT TO PROVIDE FOR EXTENDING THE TIME OF HOLDING THE DELINQUENT LAND SALES IN SEVERAL COUNTIES OF THE STATE FOR THE PRESENT YEAR.

Preamble.

Whereas the time for the collection and payment of taxes in several Counties of the State, for the present year, has been extended beyond the time fixed by the Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same;" therefore,

Sale of delin-  
quent lands—  
when to take  
place.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and required to direct the several County Auditors and County Treasurers in the said Counties to extend the times and periods for the publication and sale of the delinquent lands in the said Counties provided for in the said Act, until such times and periods as may, in his judgment, be necessary to carry out the purpose and spirit of the said Act; and that all acts done and performed, or required to be done and performed, by any County Auditor or County Treasurer in connection with the publication and sale of such delinquent lands, pursuant to such directions of the Comptroller General, shall be, in all respects, as legal, and have the same force and effect as if the same acts had been done and performed at the times and within the periods specified in the said Act.

Validating  
certain orders  
of Comptroller  
General.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, for the purposes of this Act, repealed: *Provided*, That the provisions of this Act shall not extend beyond the year 1875.

Approved March 22, 1875.

AN ACT REQUIRING CERTAIN PERSONS, FORMERLY TREASURERS OF THE COUNTIES OF DARLINGTON, ANDERSON, SPARTANBURG, SUMTER AND BEAUFORT, TO TURN OVER ALL CHECKS, VOUCHERS, PAPERS OR ACCOUNTS TO THE COUNTY COMMISSIONERS OF SAID COUNTIES.

A. D. 1875.  
No. 755.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. J. Humphrey, J. Wright and J. M. Brown, formerly Treasurers of the County of Darlington, and Daniel Brown, late Treasurer of Anderson County, J. P. F. Camp, formerly Treasurer of Spartanburg County, T. J. Coglan, formerly Treasurer of Sumter County, E. L. Kuh and F. E. Wilder, formerly Treasurers of Beaufort County, be, and they are hereby, directed and required, within sixty days after the passage of this Act, to turn over all checks, vouchers, papers, or accounts which were received by them officially, while conducting the affairs of their office, to the County Commissioners of said County, and take from the said Commissioners a certified statement or receipt for the same. And if either of the aforementioned parties shall neglect or refuse to obey the requisition herein contained, such party or parties shall be held guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of one thousand dollars, and imprisonment not exceeding twelve months. And it shall be the duty of the Solicitors of the Circuits, of which said Counties are a part, on the request of the Boards of County Commissioners of Darlington, Anderson, Spartanburg, Sumter and Beaufort Counties, to prosecute such delinquent party or parties, so that the penalties of this Act may be carried out.

Treasurers to turn over certain papers to County Commissioners.

Penalty for refusal so to do.

Approved March 23, 1875.

AN ACT TO CHARTER THE GREENVILLE AND CUMBERLAND GAP RAILROAD COMPANY. No. 756.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. H. Walter, W. J. Magrath, J. M. Baxter, J. N. Martin, J. S. Cothran, J. Harvey Cleveland, S. Stradley, W. E. Earle, T. C. Gower, J. A. David, V. E. McBee, T. Q. Donaldson, A. M. Aiken, David Coleman, H. T. Farmer, Eli Patton, S. S. Crittenden, and their associates and successors, be, and they are hereby, declared a body politic and

Corporators.

Corporate name.



A. D. 1875.

corporate, under the name and style of "The Greenville and Cumberland Gap Railroad Company."

Line of road.

SEC. 2. That the said company are authorized to construct a railroad from the city of Greenville, in the State of South Carolina, to the North Carolina line, at such point as the said company may determine, with the privilege of connecting with any railroad to be constructed in the State of North Carolina, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company, under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing herein contained shall be so construed as to exempt said company from taxation.

Invested with  
rights, &c., of  
charter of  
Greenville and  
Columbia R. R.

Subscription  
rights, in what  
receivable.

SEC. 3. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers, and may acquire by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same as the interest of said company may require; and the stockholders of said company shall only be liable to the amount of the stock subscribed by said stockholders.

Liability of  
stockholders.

Counties,  
cities and  
towns may  
subscribe.

SEC. 4. That the several Counties, cities and towns, interested in the construction of said road, are hereby authorized to subscribe to the capital stock of the same, in manner and form, with the same privileges and restrictions as are conferred and imposed in an Act entitled "An Act to authorize the formation of, and to incorporate, the Laurens and Asheville Railroad:" *Provided*, That nothing herein contained shall be so construed as to exempt said company from the provisions of Section 1, Chapter LXIII, of the General Statutes.

Not exempt  
from certain  
provisions of  
General Stat-  
utes.

Capital stock.

SEC. 5. That the capital stock of said company shall be divided into shares of fifty dollars each, and may be increased to the sum of six million dollars; and the said company shall have authority to organize and elect its officers and Directors as soon as the sum of fifty thousand dollars shall have been subscribed and one dollar per share paid on the same.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, The said road shall be commenced within three years and completed within seven years from the passage of this Act.

Approved March 23, 1875.

AN ACT TO INCORPORATE THE RICHLAND BUILDING AND LOAN  
ASSOCIATION, OF COLUMBIA, S. C.

A. D. 1875.

No. 757.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, John Agnew, John T. Sloan, Jr., J. P. Southern, Andrew Curtis, Charles F. Jackson, W. K. Backman, W. G. Childs, Hugh S. Thompson, M. T. Bartlett, S. L. Leaphart, C. J. Iredell, William R. Cathcart, together with other persons who now are or hereafter may be associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the "Richland Building and Loan Association, of Columbia, S. C.," the capital stock of which shall consist of twelve hundred (1200) shares, to be paid in by successive monthly instalments of one dollar on each share, so long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for defaults in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

General powers.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same from time to time to its members, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred and forty thousand dollars.

May hold and convey real estate.

SEC. 4. That the funds of said corporation shall be loaned and advanced to members and stockholders, upon the security of real and personal estate, and used in the purchase of real estate, for the

Investment of funds.

A. D. 1875.

benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them, in good faith, by way of security, upon its loans and advances; and may sell, alien or otherwise dispose of the same to its members and stockholders only, as they, from time to time, may deem expedient.

When may  
loan out  
monies on  
hand.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

Division and  
distribution of  
assets.

SEC. 6. That whenever the funds of the said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then the corporation shall cease and determine. This Act shall be deemed a public Act, and that the same may be given in evidence without specially pleading the same: *Provided*, That said corporation shall have all the rights and be subject to all the liabilities provided in the Act to regulate the formation of corporations, passed December 10, 1870.

Approved March 23, 1875.

No. 758. AN ACT TO INCORPORATE THE GERMAN MUTUAL LIFE ASSOCIATION OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John A. Wagner, Jacob Kruse, C. H. Behre, E. Rosenthal, C. D. Franke, H. Klatte, and J. C. H. Claussen, and such persons who shall become members in the manner hereinafter prescribed, shall become, and they and their successors shall be, a body politic and corporate, under the name and style of the German Mutual Life Association of Charleston.

Corporators.

Corporat<sup>n</sup>  
name.

Members.

SEC. 2. That every person admitted into the said association shall

be deemed and continue a member thereof during his contribution and payments, according to the rules of the said association, of such premiums, assessments and dues as he or she may be legally assessed at, and as long as he or she shall, in all things, conform to the rules and by-laws of the association aforesaid.

A. D. 1875.

SEC. 3. That as soon as one hundred persons shall subscribe their names to an agreement to become members of the said association, the same shall be enabled to go into operation, but if at any time thereafter the members shall amount to less than one hundred the said association shall immediately cease and determine.

When may  
go into opera-  
tion.

SEC. 4. That the said association, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules, regulations and institutions, as they may from time to time establish; and also of taking, holding and disposing of, or investing, as the said corporation from time to time judge fit, the increase, profits or emoluments of their said capital stock, to their own use; and shall have full power and authority to make, have and use a common seal, and with such device and inscription as they shall deem proper, and the same to break, alter and renew at their pleasure; and, by the name, title and style aforesaid, shall be able and capable, at law or in equity, to sue and be sued, implead and be impleaded, answer and be answered unto in all or any of the Courts or tribunals of this State, in all manner of suits, pleas and demands whatsoever; and they are hereby authorized and empowered to appoint a Board of Directory, President, Vice President, Secretary and Treasurer, at such periods and with such duties as they shall see fit, and also to make rules, by-laws and ordinances, and do everything needful for the good government and support of the affairs of the said corporation and for restoring their capital when diminished by losses: *Provided, always,* That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State, and that their capital shall not exceed at any time five hundred thousand dollars.

General pow-  
ers.

Officers.

SEC. 5. That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, lease, assign and convey in fee simple or otherwise.

May acquire  
and convey  
property.

SEC. 6. That the said corporation shall, by their said name, and by the signature of their President for the time being, or by the signature of such other officers or persons, and with such ceremonies of authenticity as they shall from time to time, by their rules and by-laws, ordain or appoint, have a right to make contracts and

Policies of  
insurance.



A. D. 1875.

policies of insurance and indemnity upon the lives of their members or others, or against accidents or personal injuries of the same or others, and generally to transact and perform all the business relating to the duration of life or indemnity for personal injuries, and by such contracts to bind and pledge their said members, each according to his rate of insurance and amount insured, according to their rules, regulations and by-laws.

Assessment.

SEC. 7. That in case of the death of a member or person insured, it shall and may be lawful to and for the Board of Directors, if they shall deem the same necessary, to assess all the members or persons insured according to the amount and rates of their insurance, according to the provisions of their policies of insurance. Twenty days' notice shall be given in some newspaper published within this State of such assessment, within which period the same shall be paid to the Treasurer; and if the assessment of any member or person insured be not paid within the period fixed as aforesaid, the said association may either recover from such defaulting member or person insured his or her assessment, with interest thereon from the date of such assessment, or, at the option of the Directory, be dismissed and forever discharged from membership or insurance, and the premium paid in by such defaulting member or person insured forfeited, and all his or her claims to the said association forever debarred.

Defaulters.

Manner of election.

SEC. 8. That in all elections in the said association each member thereof who shall have discharged all his dues and assessments to the same, shall be entitled to one vote, and all elections shall be by ballot.

Amount of risks limited.

SEC. 9. So long as only one hundred thousand dollars are insured in the above association, no one life shall be insured for more than one thousand dollars, and so on, in proportion of the increase, no single risk shall exceed the rate of one thousand dollars of every one hundred thousand dollars insured.

SEC. 10. That this Act shall be deemed a public Act, and be in force until repealed.

Approved March 23, 1875.

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No. 759. AN ACT FOR THE RELIEF OF SURETIES UPON OFFICIAL BONDS OF CERTAIN OFFICERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That when any of

the sureties of any officer elected or appointed to any office shall, in writing, notify the proper officer, whose duty it is to approve the bond of such officer, that they desire to be relieved from their suretyship, it shall be the duty of the officer authorized by law to approve the same to require said officer to execute a new bond with security, which, when approved, shall be as valid as the bond given on the original election or appointment of such officer; and the sureties upon the prior bond shall be released from responsibility for all acts or defaults of such officer which may be done or committed subsequent to the approval of such new bond. That in no event shall the liability of such sureties continue more than sixty days after giving said notice.

A. D. 1875.

How sureties  
may be re-  
lieved.

SEC. 2. That when any officer shall be required to execute a new bond, with security, as provided for in the first Section of this Act, he shall proceed forthwith to execute such new bond and submit the same for approval to the officer authorized by law to approve the same, and if he shall fail or neglect to so execute and submit such new bond, or fail or neglect to execute and submit a bond satisfactory to the officer authorized to approve the same, within thirty days after having been required so to do, the said officer, as the case may be, shall forthwith report to the Governor of the State that such officer has been duly required, under the provisions of this Act, to furnish a new bond, and that such officer has failed so to do, and, upon being so informed, and upon receiving a certified copy of all the papers relative to the case, it shall be the duty of the Governor, by public proclamation, forthwith to declare the office held by such defaulting officer vacant, and such office so made vacant shall be filled in the manner now provided by law.

In case of  
failure to make  
new bond, office  
to be declared  
vacant.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and they are hereby, repealed.

Approved March 24, 1875.

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AN ACT TO PROTECT AND ENCOURAGE STOCK RAISING IN SOUTH CAROLINA. No. 760.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That the owner of any stock horse, jack, bull, boar or ram, kept by him for the purpose of raising from, having a claim by contract against the owner of any mare or cow, for service, shall have a prior lien on the issue of such mare, cow or other stock for the amount of such claim: *Provided*, An

When owner  
of certain  
stock to have  
prior lien on  
issue.

A. D. 1875.  
 Action to enforce claim, how brought. action shall be instituted to enforce such claim, by suit before a Trial Justice or other officer having jurisdiction, within twelve months from the time such claim shall have accrued.  
 Approved March 24, 1875.

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No. 761. AN ACT TO AMEND "AN ACT TO INCORPORATE THE SOCIETIES THEREIN NAMED."

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12 of an Act entitled "An Act to incorporate the societies therein named," approved March 17, 1874, be amended by adding after the last word of said Section the following words: "*Provided, further*, That the preceding proviso shall not apply to the South Carolina Jockey Club."

Approved March 24, 1875.

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No. 762. AN ACT REGULATING THE MANNER OF PAYMENT OF ALL CLAIMS AGAINST THE SEVERAL COUNTIES IN THIS STATE.

Preamble. Whereas the Constitution of South Carolina, Article IV, Section 19, gives the Boards of County Commissioners of the several Counties in this State jurisdiction over all matters relating to taxes, and the disbursements of money for County purposes; and

Whereas the laws of the State require from the said Boards of County Commissioners annual detailed statements of all their official doings in relation to taxes collected, as well as disbursed, to be made to the Comptroller General of the State; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, no claims, of any class or description, which are payable by the Treasurer of any County in this State, shall be paid by the County Treasurer of any County until such claim shall have first been examined, approved and allowed by the Board of County Commissioners of such County; and the said Commissioners, after examining, approving and allowing such claims, shall, if there be funds in the hands of the County Treasurer, draw their check for the payment of the said claim upon the Treasurer of their respective Counties, specifying the month and fiscal year for which the claims were contracted or incurred; and the said claims

County claims, by whom to be approved and allowed.

When and how payable.

By whom cancelled.

shall be cancelled by the party receiving said check, and the claims so cancelled shall remain in the office of said Commissioners as their vouchers.

A. D. 1875.

SEC. 2. That it shall not be lawful for any County Treasurer to pay any claim against the County except upon the checks of the County Commissioners of the said County, which shall bear upon their face, not only the number, amount, and the name of the party in whose favor they are drawn, but the nature of the claims for which they are drawn, and the month and fiscal year in which they were contracted or incurred. The said checks shall be the vouchers of the County Treasurers, to be held by them until their annual settlement with the Auditors of their Counties, when the said checks of the County Commissioners shall be turned over to the County Auditors for cancellation; and the said County Auditors shall, thereupon, give to the said County Treasurers their official receipts for the aggregate amount of such checks which have been paid within the year for which they were issued, which receipts shall be the personal vouchers of the said Treasurers.

County Treasurers to pay only on County Commissioners' checks.

Checks to be his vouchers.

To turn over same to Auditor.

SEC. 3. It shall be the duty of the County Commissioners of the several Counties of this State, in auditing the accounts of Trial Justices, to require said officers to exhibit, with their bill of costs, all the original papers in each case in which costs have accrued; and that no bill of costs against any County in this State shall be allowed by any Board of County Commissioners, unless accompanied by the original papers in each case mentioned in the said bill or account.

Trial Justices to exhibit original papers.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 24, 1875.

AN ACT TO AUTHORIZE AND EMPOWER P. C. FLUDD TO ERECT AND MAINTAIN GATES ACROSS A CERTAIN LANE IN DARLINGTON COUNTY. No. 763.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. C. Fludd be, and he is hereby, authorized and empowered to erect and maintain gates across a public lane in Darlington County, running from the public road opposite his house to Edward's Mill: *Provided*, That said gates shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

P. C. Fludd to erect gates.

Approved March 24, 1875.



A. D. 1875.

## AN ACT TO INCORPORATE THE RAILROAD ROLLING STOCK MANUFACTURING COMPANY, OF PORT ROYAL.

No. 764.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. F. Appleton, Royal E. Robbins, D. C. Wilson, J. H. Rundall, R. H. Thayer, T. P. Branch, George Holmes, and all other persons who shall or may be associated with them, and their successors, be, and are hereby, created and erected into a body corporate and politic, in deed and in law, by the name and title of the Railroad Rolling Stock Manufacturing Company, of Port Royal.

SEC. 2. The said corporation shall have full power and authority to manufacture, purchase and own all manner of rolling stock and material used in the operation of railroads, and to sell, loan or lease the same to any railroad operated in whole or in part in the State of South Carolina.

SEC. 3. That the said company is hereby authorized and empowered to build a wharf or wharves to deep water on any property owned or leased by it in the harbor of Port Royal, and to collect the usual rates of wharfage on the same.

SEC. 4. The said company shall have power to erect machine shops in the County of Beaufort, for the purpose of manufacturing and repairing railroad rolling stock and supplies, and to do any other work necessary for the operation of such an establishment.

SEC. 5. The capital stock of the said company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each.

SEC. 6. That the corporators herein named shall open books of subscription to the capital stock of said Company, at such times and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same, and whenever the sum of ten (10) per cent. shall have been paid in to said capital stock the said corporators, or any two of them, shall file in the office of the Secretary of State their affidavit that such amount has been *bona fide* paid in, and thereupon the persons who have subscribed to the stock of said company shall have ten days' public notice by advertisement in one or more newspapers of the State of the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

SEC. 7. That the said company shall at said meeting be organized by the election of a President, Vice-President, and such number of Directors and other officers for such term as the stockholders present may decide upon then or at any time thereafter, and that annually

thereafter the President and Directors so elected shall call together the stockholders for the purpose of electing officers of the corporation, and for the purpose of transacting such business relating to the interests of the company as they may deem fit; and at such meeting any member of said corporation will be allowed one vote for every share owned, and to cast a vote by proxy.

A. D. 1875.

SEC. 8. That said company, when organized, as herein provided, may establish by-laws for the usage and government of the company not repugnant to the laws of the State; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same; may sue and be sued, plead and be impleaded, in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of similar bodies corporate in this State. They also shall enjoy such special privileges and immunities as are now or hereafter may be conferred by law on similar manufacturing companies within this State.

General powers.

SEC. 9. That whenever the said ten per cent. shall be paid into the capital stock of said company, it shall be authorized to commence business as a manufacturing company under this charter. Each stockholder shall be liable to the amount equal to his stock for the debts of said company, according to the number of said shares held in said company.

When may commence business.

Liability of stockholders.

SEC. 10. This Act shall be taken and deemed a public Act, and to remain in force for a term of thirty years.

Approved March 24, 1875.

# AN ACT TO AUTHORIZE THE BUILDING AND LOAN ASSOCIATION OF SPARTANBURG COUNTY TO INCREASE THEIR CAPITAL STOCK.

No. 765.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Building and Loan Association of Spartanburg County, South Carolina, be, and they are hereby, authorized to increase their capital stock to any amount not exceeding two thousand shares, in such manner as they may deem proper, provided it be consistent with their charter.

Increase of capital stock.

Approved March 24, 1875.

A. D. 1875.

No. 766.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF FAIRFIELD COUNTY TO CLOSE A CERTAIN ROAD IN SAID COUNTY.

Public road  
closed.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County be, and they are hereby, authorized and empowered to close up and discontinue the road leading from Gibson's Bridge to the J. A. Martin Place, in said County.

Approved March 24, 1875.

No. 767. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHLAND COUNTY TO LEVY AND COLLECT A SPECIAL TAX TO PAY PAST DUE INDEBTEDNESS.

Special tax  
of 1 mill.

Object of  
same.

Claims, where  
to be regis-  
tered.

Statement to  
be filed with  
Circuit Judge.

Judge to ap-  
prove state-  
ment before  
claims are  
paid.

Notice of  
registration.

Claims of J.  
E. Dent and D.  
B. Miller to be  
first paid.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County be, and they are hereby, authorized and directed to levy and collect a special tax on the taxable property of said County as follows: A special tax of one mill on the dollar shall be levied and collected for the fiscal year commencing November 1st, 1875, and each year thereafter until the sum of twenty-five thousand dollars has been collected as a special tax. Said tax shall be devoted exclusively to the payment of the past due indebtedness of said County: *Provided*, That all claims for the payment of which the special tax herein authorized is levied shall be registered in the office of the Clerk of the Court of the said County of Richland, on or before the first day of October, 1875, who shall file a statement setting forth the names of the claimants, the amounts and dates of said claims, with the Judge of the Fifth Circuit, at the October Term of the Court of Common Pleas, for the year 1875, for the County of Richland; which statement shall be approved of by said Judge before the payment of any of said claims shall be made: *Provided, further*, That the said Clerk shall give due notice of said registration by publication thereof, in one of the daily papers of the city of Columbia, twice a week, for the period of four weeks, the first insertion to be made on the first Tuesday of April, 1875.

SEC. 2. The County Commissioners be required to pay the balance of the account due J. E. Dent, Sheriff, for dieting prisoners from November 20, 1873, to October 31, 1874, and the account of D. B. Miller, Clerk, for amount advanced by him for support of

paupers in the Alms House out of the first moneys collected under the above special levy ; the remaining claims to be paid *pro rata*.

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Other claims  
payable *pro*  
*rata*.

Approved March 24, 1875.

AN ACT TO INCORPORATE THE SOUTH CAROLINA MUTUAL INSURANCE AND TRUST COMPANY OF COLUMBIA. No. 768.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and such persons as now are, or hereafter may be, associated with them, their successors and assigns, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and style of the South Carolina Mutual Insurance and Trust Company of Columbia, for the purpose of insuring dwelling houses, stores, shops and other buildings, household furniture, merchandise and other property against loss or damage by fire ; and, also, for the purpose of insuring vessels, freights, goods, wares and merchandise, and of making all and every kind of insurance connected with marine risks of transportation and inland navigation, and of causing themselves to be insured or re-insured whenever and to whatever extent they may deem it expedient ; and by that name may have succession ; and shall have power to sue and be sued, and to plead and be impleaded in all Courts, whether in law or equity ; and by that name may also have, purchase, possess and enjoy to them, their successors and assigns, lands, tenements and hereditaments, goods, chattels and effects, of whatsoever nature and kind, necessary for the purpose of the corporation ; and the same may grant, demise, alien and dispose of at pleasure, for the benefit of the corporation ; and also may have a corporate or common seal, and alter or renew the same at pleasure ; and also may make and establish such by-laws and regulations, and such alterations and amendments thereof, as they shall deem proper : *Provided, always*, That such by-laws and regulations shall not be contrary to the Constitution or laws of this State or of the United States.

Corporators.

Corporate  
name.

Objects of cor-  
poration.

General pow-  
ers.

SEC. 2. That all the affairs, property and concerns of the corporation shall be managed and conducted by nine Directors, five of whom shall constitute a quorum, all of whom shall be residents of the United States, and a majority of whom shall

Officers of  
corporation.



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be residents of the State of South Carolina; and that the said Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and such of them, or such others, to the number of nine, as shall have subscribed to the fund hereinafter provided for, and shall comply with the terms of this Act, shall be the first Directors of the corporation, and shall choose out of their body a President, and shall hold office for one year, and until their successors shall be chosen, and a majority of them qualified to serve. All vacancies may be filled for the remainder of the year by such person or persons as a majority of a quorum of the Directors, for the time being, may appoint.

Vacancies,  
how filled.

Election of  
Directors.

SEC. 3. That the Board of Directors of said corporation shall be elected each year hereafter, at such time and place, in the County of Richland, as the said corporation, in their by-laws, may appoint, after such notice thereof shall have been given as the Board of Directors may direct, or as the by-laws shall have prescribed, which election shall be holden under the inspection of three members of the corporation not Directors, who shall be appointed by the Board of Directors previous to the election. The election shall be by ballot, and the persons receiving a plurality of the votes of those entitled to vote, or their proxies, shall be declared to be elected.

Manner of  
voting.

Subordinate  
officers.

SEC. 4. That the Board of Directors may appoint a Secretary and such other officers and agents as may be requisite for carrying on the business of the said corporation, and allow them such compensation as may be reasonable; and, also, determine the rates at which insurances may be made. They shall also have power to establish agencies in this and other States, and insure and accept risks wherever and whenever they may think proper.

Agencies.

When policies  
to be binding  
on corporation.

SEC. 5. That all policies and contracts founded thereon, which shall be made or entered into by the said corporation, may be made either under or without the seal thereof, and shall be subscribed by the President and attested by the Secretary; and, being so subscribed and attested, shall be binding and obligatory on the said corporation, and said corporation shall be liable for all loss or damage sustained by fire or other casualty agreeably to and on such terms and conditions as shall be contained in the policy.

May issue par-  
ticipating poli-  
cies.

SEC. 6. That the said corporation may issue participating policies of insurance, and, in accordance therewith, may require any person or persons who shall or may become a member or members of the said corporation, by effecting insurance therein, under and by means of any such participating policy, either to give a promissory note for any portion of the premium on his or their policy, to be guaranteed by some responsible person, or without guarantee, if

Premium,  
how payable.

the said Directors shall so determine, or to pay the whole or any part of the said premium in cash before such person or persons shall receive his or their policy; which said note or payment in cash, or both, shall be considered as part of the assets of the said corporation, and the same, or such ratio thereof as the said Directors may determine, shall be appropriated to the payment of such losses or damages as may be sustained, and such expenses as may be necessary for carrying on the business of the said corporation, but no member shall be liable for any such losses or damages beyond the amount of his note and payment in cash, or beyond the special deposit hereinafter provided for. And in case any loss or damage shall be sustained before a sufficient surplus shall be accumulated by the said corporation to pay it promptly; and in order the more effectually to secure the assured against loss or damage, the said Thomas A. McCreery, Samuel W. Melton, Lysander D. Childs, John Agnew, William D. Love, Charles F. Jackson, Barrie B. McCreery, Samuel Cowan and Maurice Raleigh, and their associates, shall deposit with the said corporation the sum of fifty thousand dollars in cash, or in good securities, or in both, immediately on the passage of this Act; and the said Directors may provide for increasing the said sum to two hundred and fifty thousand dollars, at any time or times thereafter, in their discretion, which sum, and any increase thereof, shall be considered as part of the assets of the said corporation, and the same, or such ratio thereof as the said Directors may determine, shall be appropriated to the payment of such losses and damages as may be sustained, and such expenses as may be necessary for carrying on the business of the said corporation; and should any of the said subscribers fail to make such deposit according to his or their agreement or promise so to do, or to comply, in all respects, with this provision, he or they shall forfeit to the said corporation any amount in cash or in securities he or they may have paid in, and shall be no longer a member or members of the said corporation; and the amount which said defaulter or defaulters agreed or promised to deposit may be assumed by any member of the corporation, or by any person who may desire to become a member, by complying, in all respects, with the provisions of this Act; and such person shall be vested with all the rights and privileges to which such defaulter or defaulters were entitled, and shall be subject to all the obligations to which he or they were liable under this Act. And the depositors, as aforesaid, their executors, administrators and assigns, shall receive, annually, out of the earnings or profits of the said corporation, if any such interest or dividend, *pro rata*, as the Directors shall determine to be just.

A. D. 1875.

Liability of  
members.Corporators  
to make depos-  
its as security  
against loss.Amount of  
sum.

Defaulters.

Dividends to  
depositors.

SEC. 7. That the depositors aforesaid, their executors, adminis-

A. D. 1875.  
 Management  
 of corporation.

trators and assigus, shall have the sole power to elect the Directors of the corporation, and that each shall have one vote for every five hundred dollars of his proportion of such deposit.

Dividends to  
 policy holders.

SEC. 8. That immediately after each annual statement of the business of the corporation is made up, the Directors may declare a dividend to each and every participating policy holder, *pro rata*, from accumulated earnings, if, in their judgment, it shall be consistent with the interests and safety of the corporation; and such dividend may be applied to the credit of any notes held against such participating member, or may be issued in scrip of the corporation, bearing interest at the rate of six per cent. per annum, which interest shall be paid annually, on or before the first day of March in each year, until such scrip shall be paid by the corporation; or the Directors may, at their option, reduce such dividend to a cash value, and pay the same in legal currency, should such participating member prefer it.

When policy  
 on property to  
 be void.

SEC. 9. That when any property, insured by the said corporation, shall be alienated by sale or otherwise, the policy shall thereupon be void and be surrendered to the Directors of the corporation to be cancelled; and upon such surrender, the assured shall be entitled to receive his deposit, note or cash, or both, after deducting his proportion of all losses or damages and expenses that shall have occurred prior to such surrender; but the alienee having the policy assigned to him may have the same ratified and confirmed to him for his own proper use and benefit, upon application to the Directors and giving proper security to the satisfaction of the said Directors for the payment of such portion of the deposit note as shall remain unpaid, and thereupon shall be entitled to all the rights and privileges to which the original party to whom the policy issued was entitled, and shall be subject to all the obligations to which he was liable under this Act.

Suits against  
 members of  
 corporation.

SEC. 10. That suits at law, or in equity, may be prosecuted and maintained by the said corporation against any of its members, for the collection of any note or any assessment thereon, or for any other cause growing out of the business of the said corporation; and suits at law, or in equity, may be prosecuted and maintained by any of its members against the said corporation for any losses or damages, if payment of the same is withheld more than three months after the corporation is duly notified thereof.

Assessment to  
 pay losses.

SEC. 11. That the Directors of the corporation shall, on receiving notice of any loss or damage, and ascertaining the same, or on the rendition of any judgment against the said corporation for any loss or damage, settle and determine the sums to be paid by its several members as their respective proportions of such loss or



damage, and shall notify them in such manner as they shall see fit, or as the by-laws shall prescribe; and the sum to be paid by each member shall be in proportion to the amount of his note, or notes, and shall be paid into the said corporation within thirty days next after such notification; and if any member shall neglect or refuse to pay the sum assessed upon him as his proportion of any loss or damage as aforesaid, for the space of thirty days after such notification, the said Directors may sue for and recover such sum, with interest and costs, in any Court of law in this State having jurisdiction in such cases, and every such member shall forfeit all right and claim under any policy he may have obtained, and shall be no longer a member of the said corporation.

A. D. 1875.

Penalty for default.

SEC. 12. That no transfer of any policy shall be valid until entered on the books of the said corporation.

When transfers to be valid.

SEC. 13. That the said corporation shall have power to guarantee the payment, punctual performance and collection of promissory notes, bills of exchange, contracts, accounts, claims, rents, bonds, mortgages, choses in action, evidences of debt, and value of the titles to real and personal property; to receive upon storage or deposit or otherwise, merchandise, bullion, specie, currency, stocks, bonds, promissory notes, certificates and evidences of debt, contracts, or other property, to take the management, custody and charge of real and personal property, and to advance money, security and credit upon property, real and personal, upon such terms, and for such consideration as may be agreed upon between the parties to such transactions; and to loan such portion of the money on hand as may not be immediately wanted for the purposes of the said corporation, upon good and valid security, of whatsoever kind or character the Directors of the said corporation shall see fit; and make investments in bonds and mortgages of real estate, and in bonds and stocks of the United States and of this State, in promissory notes, bills of exchange and other securities, and receive legal interest for any loans made by it, together with such other compensation as may be agreed upon between the parties.

Special powers.

SEC. 14. That the principal office for carrying on the business of the said corporation shall be located at Columbia, in this State.

Location of principal office.

SEC. 15. That this Act shall take effect immediately after its passage, and shall continue in force for the term of fifty years.

Approved March 24, 1875.



A. D. 1875. **AN ACT TO PROCURE A SITE FOR THE LAZARETTO, ON MORRIS' ISLAND.**  
 No. 769.

Site for Lazaretto. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be and he is authorized and required to appoint three persons, to be known as a Board of Commissioners, to procure a site for the Lazaretto, now situated on Morris' Island.

Appropriation. SEC. 2. That the sum of five hundred dollars be, and the same is hereby, appropriated for the purpose of procuring said site, and for the removal of the buildings now used thereto.

Approved March 24, 1875.

**No. 770. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION OF DERELICT ESTATES."**

Clerks of Court to transmit administrations to successors. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all administrations of derelict estates heretofore granted to Clerks of the Court of Common Pleas, or that may hereafter be granted to them, under the Act of the General Assembly "to provide for the administration of derelict estates," approved February 26, 1873, and amended by the Act of the General Assembly, approved March 17, 1874, be transmitted to the successors in office of such said Clerks, by virtue of such succession in office, without new application on the part of such successors in office, and without further order of the Court of Probate making the original grant of administration.

Acts of successors of same validated. SEC. 2. All acts done by such said successors in office of the said Clerks of the Court originally appointed under the said Act of the Assembly, not inconsistent with the duty of administrations, are hereby ratified and affirmed, and made of the same force and effect as if done by the Clerks of the Court originally appointed to administer such said estate.

To turn over to successors all moneys, &c., in their hands belonging to such estates. SEC. 3. That it shall be the duty of all outgoing Clerks of the Court of Common Pleas to turn over to their successors in office all property, choses in action, money, and other assets of such said estates in their hands, and that such successors shall have the right to compel the performance of that duty by proceedings for that purpose in the Court of Probate having jurisdiction of the particular estate.

SEC. 4. That all Acts or parts of Acts inconsistent with, or supplied by, the provisions of this Act, be, and the same are hereby, repealed.

A. D. 1875.

Approved March 24, 1875.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW JAIL No. 771.  
IN AND FOR THE COUNTY OF FAIRFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County are hereby authorized and empowered to sell and convey the building known as the County Jail, and the lot whereon the same is erected, in the town of Winnsboro. The said sale to be made at public outcry, at such time or times, on such terms, and in such parcels, as the said Commissioners shall think proper, after advertisement thereof for at least thirty days: *Provided*, That all the proceeds over and above the amount of purchase of a new site shall be deposited in the Treasury of the County, and shall be designated as the new jail fund, to be drawn out, from time to time, on the warrants of the Commissioners; said warrants specifying that they are for the construction of new jail.

Sale of old jail authorized.

Disposition of proceeds.

SEC. 2. That the said County Commissioners are further authorized and empowered to purchase or accept a suitable site for a new jail in the town of Winnsboro, and to take the titles therefor, executed to the County of Fairfield, to and for the use of said County.

County Commissioners to purchase site.

SEC. 3. That the said County Commissioners are further authorized and empowered to build and erect a new jail upon the site selected, as provided in Section 2 of this Act, and that the contracts for the erection of such building shall not be binding or valid until approved by the Circuit Judge.

Also to build new jail.

Approved March 24, 1875.

AN ACT TO AMEND SECTIONS 3 AND 8 OF AN ACT ENTITLED No. 772.  
"AN ACT TO AMEND CHAPTER XLV OF TITLE XI, PART I, OF THE GENERAL STATUTES, RELATING TO THE REPAIRS OF HIGHWAYS AND BRIDGES," SO FAR AS THE SAME RELATES TO OCONEE AND PICKENS COUNTIES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1875.

"Ten" in-  
serted in lieu  
of "six."

General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to amend Chapter XLV of Title XI, Part I, of the General Statutes, relating to the repairs of highways and bridges," be, and the same is hereby, amended, so far as the same relates to Oconee and Pickens Counties, by striking out the word "six," on the eighth line thereof, and inserting the word "ten" in place of the same.

"Sixteen" in  
lieu of "eight-  
teen."

"Fifty" in  
lieu of "forty-  
five."

Exemptions.

"Ten" in lieu  
of "six."

Warner's re-  
ward.

SEC. 2. That Section 8 of the same Act be, and the same is hereby, amended, so far as the same relates to Oconee and Pickens Counties, by striking out the word "eighteen," on the first and second lines thereof, and inserting the word "sixteen" in place of the same; by striking out the words "forty-five," on the second line thereof, and inserting the word "fifty" in place thereof; by inserting between the word "years" and the word "shall," on the second line thereof, the words "except ministers of the gospel and teachers of schools and colleges;" by striking out the word "six," on the third line thereof, and inserting the word "ten" in place of the same; and by adding at the end thereof the following words, to wit: "The warner, for such services, shall be entitled to an exemption of five days' labor on the public highways and roads."

Approved March 24, 1875.

### NO. 773. AN ACT TO INCORPORATE THE GERMAN SCHOOL ASSOCIATION OF CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles Voigt, F. Puckhaber, H. H. Knee, D. Werner, J. H. Thiele, F. D. C. Kraeke, J. C. H. Claussen, C. H. Eberhart, F. Melchers, F. J. Lilienthal, William Ufferhardt, C. H. Bergmann, C. G. Ducker, J. C. W. Bischoff, John F. Mier, and their associates and successors, be, and they are hereby, created a body politic and corporate, under the name and style of the German School Association of Charleston, South Carolina, for the purpose of carrying on a school, academy or institution of learning in the city of Charleston, with a capital stock of nine thousand dollars.

SEC. 2. That the capital stock of the said corporation shall be divided into shares of the sum of thirty dollars each.

SEC. 3. That the said corporation shall have power, from time to time, to increase their capital stock to any amount not exceeding one hundred thousand dollars, including their present capital stock, whenever a majority of their stockholders present at any general

meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided equally among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the corporation may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or make up such increase; such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act; and any such additional subscribers shall thereby become members of this corporation, and be subject, in like manner, in proportion to their interest, to all the burdens, liabilities, responsibilities and conditions imposed upon the members of this corporation.

A. D. 1875.

Additional  
stock, how to  
be disposed of.

SEC. 4. That if the proprietor of any share shall neglect to pay any installments assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the corporation, on the order of the Directors, may sell, by public auction, a sufficient number of shares standing in the name of such stockholder, to pay all the installments then due from him or her, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same at least once a week for three weeks successively before the sale, in one of the Charleston newspapers, and a bill of sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Stock of de-  
linquent share-  
holders may be  
sold.

Notice to be  
given of time  
and place of  
sale.

SEC. 5. That every shareholder shall be individually liable for the debts contracted during the time he or she shall be a shareholder in said corporation, to the extent of ten per cent. of the par value of his or her shares in the same: *Provided*, That no person holding such stock as collateral security shall be personally subject to any liability as a stockholder of such corporation, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly: *And provided, further*, That no stockholder shall be personally liable for the payment of any debt contracted by the said corporation, which is not to be paid within one year from the time the debt is contracted, nor unless a suit be brought against said corporation within one year after the debt shall become due, and no suit shall be brought against any stockholder who shall cease to be a stockholder in said corporation

Liability of  
shareholders.

Proviso.

Proviso.



A. D. 1875.

for any debt so contracted, unless the same shall be commenced within two years from the time he or she shall have ceased to be a stockholder in said corporation, nor until an execution against the corporation shall have been returned unsatisfied in whole or in part.

Officers.

SEC. 6. That the said corporation shall have such number of officers as shall be ordained by the rules and by-laws to be made for their government and direction, and shall have power and authority to make all rules and by-laws not repugnant to the laws of the land; to regulate the issue of scrip and transfer of shares; to have and keep a common seal, and the same to alter at will; to sue and be sued; to plead and be impleaded in any Court of law or equity; to take, by purchase, devise or otherwise, and to hold, sell and alien in fee simple, or for any less estate, or mortgage, lands, tenements, hereditaments, goods, chattels, rights, credits and property of any kind, and to make all contracts necessary for the purposes of the corporation.

Powers and privileges.

Certain immunities and exemptions conferred.

SEC. 7. That the said corporation shall be entitled to the immunities and exemptions contained in the third clause of the sixth Section of the Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," approved the nineteenth day of March, eighteen hundred and seventy-four.

SEC. 8. This Act shall be taken and deemed a public Act, and shall be judicially taken notice of without special pleading.

Approved March 24, 1875.

No. 774. AN ACT RELATIVE TO CONTRACTS FOR THE EXECUTIVE DEPARTMENTS OF THE STATE GOVERNMENT, AND FOR THE GENERAL ASSEMBLY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and required to advertise, in the Daily Phoenix, published in the city of Columbia, and the News and Courier, published in the city of Charleston, for proposals to furnish the several Executive Departments of the State Government with such books and stationery as may be necessary for their use during the current fiscal year, respectively, the numbers, character and quality of such books, and the amount and quality of such stationery, to be particularly set forth in the advertisement.

Comptroller General to advertise for proposals.

SEC. 2. That the Clerk of the Senate be, and he is hereby, authorized and required, at the same time, to advertise, in like manner, for proposals to furnish that body with such stationery as may be necessary for its use during the current fiscal year, the amount and quality of such stationery to be particularly set forth in the advertisement.

A. D. 1875.

Clerk of Senate to advertise for proposals.

SEC. 3. That the Clerk of the House of Representatives be, and he is hereby, authorized and required, at the same time, to advertise, in like manner, for proposals to furnish that body with such stationery as may be necessary for its use during the current fiscal year, the amount and quality of such stationery to be particularly set forth in the advertisement.

Clerk of House to advertise for proposals.

SEC. 4. That it shall be the duty of the said officers, on or before the first day of July in the present year, and in each year hereafter, to advertise, in like manner, for proposals, respectively, such as aforesaid, for the ensuing fiscal year, the particulars, as aforesaid, to be set forth in the advertisements respectively. And the several heads of departments of the State Government shall, at least ten days previous to that day, furnish to the Comptroller General a list and description of such books and stationery as may be necessary for their use for such ensuing fiscal year respectively.

Heads of departments to furnish estimates.

SEC. 5. That it shall be the duty of the Keeper of the State House and State Librarian, at the same time, to advertise, in like manner, for proposals to furnish the several Executive Departments of the State Government, the Senate and House of Representatives, with such coal as may be necessary for their use for such ensuing fiscal year, the amount and quality of such coal to be particularly set forth in the advertisement. And the several heads of departments of the State Government, and the Clerks of the Senate and House of Representatives, shall, at least ten days before that time, furnish to the Keeper of the State House and State Librarian a statement of the amount of coal that may be necessary for their use for such fiscal year respectively.

Proposals for coal.

Heads of departments to furnish estimates.

SEC. 6. That the proposals shall be addressed to the officer advertising for the same, and shall be opened by him on the day named in his advertisement, in the presence of a Board, consisting of the Governor, Secretary of State and Attorney General, and the contract shall be awarded by him to the lowest responsible bidder; but such contract shall be of no effect until approved by the said Board.

Supervising Board.

SEC. 7. That in all cases where contracts are awarded and approved under the provisions of this Act, the party or parties to whom a contract may be awarded shall, before entering on the performance thereof, give a bond, with sufficient security, on such terms as may be prescribed by the Attorney General, conditioned for its

Contracting parties to give bond.

A. D. 1875.

faithful performance ; and, in case of his or their failure to do so, within thirty days after it has been awarded and approved, it shall be awarded to the next lowest responsible bidder.

Contracts and  
bonds to be  
filed.

SEC. 8. That all contracts awarded and approved under the provisions of this Act, and all bonds given for their faithful performance, shall be filed in the office of the Secretary of State, who shall preserve a record of the same.

Heads of De-  
partments not  
to purchase  
other books,  
&c.

SEC. 9. That it shall not be lawful for any of the heads of departments of the State Government, or for any of the officers of the Senate or House of Representatives, to purchase any other books, stationery or coal for their use, respectively, than are provided for in this Act.

Comptroller  
General to  
draw warrant  
on Treasurer.

SEC. 10. That the Comptroller General, upon becoming satisfied that the contracts made pursuant to the provisions of this Act have been faithfully performed, shall draw his warrant upon the Treasurer for the amount of said contract.

\$20,000  
appropriated.

SEC. 11. That the sum of twenty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated from the phosphate royalty ; and the State Treasurer is hereby authorized to retain in the Treasury each year a sufficient amount of the revenue derived from the phosphate royalty, as aforesaid, to meet the payments provided for in this Act.

State Treas-  
urer to reserve a  
certain amount

Approved March 24, 1875.

NO. 775. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO ESTABLISH THE CHARLESTON CHARITABLE ASSOCIATION, OF THE STATE OF SOUTH CAROLINA, FOR THE BENEFIT OF THE FREE SCHOOL FUND."

Charter re-  
pealed.

*Be it enacted* by the Senate and House of Representatives of the State of Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to establish the Charleston Charitable Association, of the State of South Carolina, for the benefit of the Free School Fund," approved March 8, 1871, be, and the same is hereby, repealed.

Approved March 24, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RELIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BECAUSE OF THEIR POLITICAL OPINIONS," APPROVED MARCH 13, 1872.

A. D. 1875.  
No. 776.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the relief of the widows and orphans of persons killed because of their political opinions," approved March 13th, 1872, be, and the same is hereby, amended as follows: In Section 1, line 8, immediately after the words "each and every of said Counties," insert the words "except in the County of Spartanburg, where a tax of one-sixteenth (1-16) of a mill shall be levied and collected."

County of  
Spartanburg,  
exception in  
favor of.

Approved March 24, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE ELECTION OF MAYOR AND ALDERMEN OF THE CITY OF CHARLESTON."

No. 777.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section (3) three of an Act to regulate the election of Mayor and Aldermen of the city of Charleston be, and the same is hereby, amended by striking out the word "five" and inserting instead the word "three;" and by adding after the word "Charleston," in said Section, the words "who shall hold their offices, unless removed by the Governor for cause, until thirty days before the next election for said city."

Commission-  
ers of Election,  
term of office.

SEC. 2. That Section (5) five of said Act be amended by adding thereto the following words, to wit: "The said Commissioners shall, at least five days before the day of election, give public notice by advertisement in one of the newspapers published in said city of the polling places, and the Managers appointed for each polling place; and no changes shall be made prior to said election, except that the said Commissioners may fill a vacancy caused by the death or inability to serve of any Manager, and no Commissioner nor Manager shall be a candidate for election."

Public notice  
of polling  
places to be  
given.

Vacancies.

SEC. 3. That Section (6) six of said Act be stricken out, and the following be substituted as Section (6) six thereof: "The polls shall be opened at the polling places which shall have been published, at six o'clock in the morning, and close at six o'clock in the afternoon of the day of election, and shall be kept open without intermission

Polls, when  
to be opened.



A. D. 1875.

Oath.

Challenges.

or adjournment, and the Managers shall administer, when demanded by any qualified voter, to each person offering to vote the following oath: 'I do solemnly swear (or affirm) that I am qualified to vote according to the Constitution of this State; that I have been for sixty days a resident of this city, and that I have not voted at any other polling place during this election.' And if demanded by any qualified voter, the residence of any person challenged shall be entered upon the poll list by the Clerk, and in case the right to vote be challenged, the Managers shall decide the matter summarily."

Counting of votes.

SEC. 4. That Section (8) eight of said Act be amended by inserting after the word "canvass" the words "in public;" and by adding, at the end of the Section, the words "subject to appeal, on questions of law, to the Supreme Court."

SEC. 5. That Section (10) ten be amended, by striking out the word "three" and inserting "two," and by striking out "four" and inserting "three."

Approved March 24, 1875.

NO. 778. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE LANGLEY MANUFACTURING COMPANY," APPROVED 1868.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Langley Manufacturing Company of Edgefield County" be, and the same is hereby, amended, by striking out the word "six," on the twelfth line, and inserting in lieu thereof the word "eight."

"Eight" inserted in lieu of "six."

"Twenty-five" inserted in lieu of "fourteen."

SEC. 2. That Section 4 of said Act be amended by striking out the word "fourteen," on the second line, and inserting in lieu thereof the words "twenty-five."

Approved March 24, 1875.

NO. 779. AN ACT TO REPEAL AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOLL BRIDGE ACROSS THE SAVANNAH RIVER AT HAMBURG, SOUTH CAROLINA, APPROVED FEBRUARY 22, 1873.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

and by the authority of the same, That an Act to renew and amend the charter of the toll bridge across the Savannah River, at Hamburg, South Carolina, approved February 22, 1873, be, and the same is hereby, repealed.

A. D. 1875.

Charter re-pealed.

Approved March 24, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE." No. 780.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the town of Westminster, in the County of Oconee," approved the seventeenth day of March, 1875, be, and the same is hereby, amended by striking out the word "March" wherever it occurs in said Section, and inserting in place thereof the word "April."

"March" stricken out and "April" inserted.

SEC. 2. That the said Act be and remain in full force and virtue in all other respects.

Approved March 25, 1875.

AN ACT TO INCORPORATE THE TOWN OF FORT MOTTE, IN THE COUNTY OF ORANGEBURG. No. 781.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided in the town of Fort Motte shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Fort Motte, and its corporate limits shall extend one-fourth of one mile from the point of crossing the bridge over the South Carolina Railroad, near Duncan & Wingard's store, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

Corporate name.

Limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and of this State, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Monday

Officers.

Time of holding election.

A. D. 1875.

Qualification  
of voters.Managers of  
election.Powers and  
privileges.

of May, 1875, and every year thereafter on the first Monday of May, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas for the County of Orangeburg shall designate three suitable persons, citizens of the said town, to act as Managers of the election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Lewisville by an Act entitled "An Act to incorporate the town of Lewisville, S. C.," of February 28, 1872.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 25, 1875.

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No. 782. AN ACT TO DECLARE RANTOWLE'S BRIDGE, AND THE CAUSEWAY ATTACHED THERETO, PUBLIC HIGHWAYS, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Rantowle's  
Bridge and  
causeway pub-  
lic highways.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the bridge across the north branch of the Stono River, commonly known as "Rantowle's Bridge," and the causeway attached thereto, be, and the same are hereby, declared to be public highways.

County Com-  
missioners to  
repair.

SEC. 2. That the Boards of County Commissioners of Charleston and Colleton Counties be, and they are hereby, authorized, directed and required, jointly, to take charge of such bridge, place the same in proper repair, or, if they should deem it necessary, to cause to be built at once a substantial bridge in the place of the said Rantowle's Bridge; and the expense of building said bridge shall be equally divided between the said Counties of Charleston and Colleton.

Contract to be  
awarded.

SEC. 3. That for the purpose of carrying into effect the provisions of the foregoing Section, the Boards of County Commissioners of Charleston and Colleton Counties are hereby directed to enter into contract with any responsible party or parties for building the said bridge, said contract to be awarded to the lowest responsible bidder

therefor, after public notice, published in the official newspapers of Charleston and Colleton Counties for thirty days, of the conditions thereof. A. D. 1875.

SEC. 4. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge. Bridge to be free.

SEC. 5. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, inconsistent with the provisions of this Act, be, and the same are hereby, repealed.

Approved March 25, 1875.

AN ACT TO AMEND SECTIONS 4 AND 12 OF CHAPTER CXLV OF THE GENERAL STATUTES, RELATING TO THE STATE PENITENTIARY. No. 783.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of Chapter CXLV of the General Statutes be, and the same is hereby, amended by adding at the end of paragraph 3 thereof the following words, to wit: "*Provided, however,* That he shall, before the first day of November in each year, advertise for proposals for furnishing all articles that may be needed for the institution for the ensuing fiscal year, the character and quality of the articles to be particularly set forth in the advertisement, which proposals shall be opened by him, on the day mentioned in the advertisement, in the presence of the Directors, and the contract shall be awarded by him to the lowest responsible bidder, subject to their approval, and that no articles shall be purchased by him for the prison except those contracted for as herein provided, without the written approval of the Directors: *Provided, further,* That no Director or the Superintendent shall become a bidder or contractor for furnishing articles, provisions or materials for the said institution; nor shall any Director or Directors have any interest in any contract for furnishing the institution as aforesaid." By adding at the end of paragraph 7 thereof the following words, to wit: "*Provided, however,* That all accounts for payment, including the pay roll, shall be submitted to the examination of the Directors on the first Monday of every month, and, on their approval of the same, shall draw his order on the Comptroller General, countersigned by the Chairman of the Directors, for the aggregate amount thereof; and that he shall not draw any order on the Comptroller General without such counter signature; and, also, that he shall pay out all moneys at such times and in such

Proposals for supplies.

Awarding of contracts.

Directors and Superintendent not to contract or bid.

Accounts to be submitted to Directors.



A. D. 1875.

Reports.

manner as the Directors may from time to time direct." And by adding at the end of paragraph 8 thereof the following words, to wit: "And to make such monthly reports to the Directors as they may, from time to time, require."

Approved March 25, 1875.

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**No. 784. AN ACT TO AMEND AND EXTEND THE CHARTER OF THE PEOPLE'S BANK OF SOUTH CAROLINA," AND TO AMEND THAT OF THE PLANTERS' AND MECHANICS' BANK OF SOUTH CAROLINA."**

Preamble.

Whereas the capital of the People's Bank of South Carolina has been reduced by losses, the result of the war, from one million of dollars to eighty thousand dollars, whereby the shares, originally worth twenty-five dollars each, are at present worth in reality but two dollars each, thereby rendering the consolidation of the said original shares absolutely necessary, and leave so to do has been asked by the President and Directors of the said bank; and, whereas, since the last amendment of the charter of the Planters' and Mechanics' Bank of South Carolina, the estimated capital thereof has been greatly reduced by the presentation and redemption of a much larger amount of their outstanding bills than was then allowed for, and they have, by their petition, asked for several amendments in their charter also:

Shares to be consolidated.

Proviso.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Directors of the said Peoples' Bank be, and they are hereby, authorized to consolidate the shares of the said bank by calling in their said shares and issuing one share of the par value of twenty dollars for every ten of their present shares, so that the number of shares shall be reduced from forty thousand to four thousand: *Provided, however,* That the said bank shall, at the request of any stockholder now holding less than ten shares, redeem his said shares at the rate of two dollars per share: *Provided, also,* That in case any of the original shares have heretofore been consolidated under any resolution of the Directors, such consolidated shares, in the consolidation hereby provided for, shall each be estimated to be equal to four shares of the original capital.

Notice of intention to consolidate to be given.

SEC. 2. That the said Board of Directors of the Peoples' Bank, before reducing and consolidating the said shares, shall give at least thirty days' public notice in one or more of the newspapers of the city of Charleston of their intention so to consolidate, reduce and

redeem the stock of the said bank, and from and after the day fixed and so publicly notified for the said consolidation, reduction and redemption of the said shares, no one shall be considered or held to be a stockholder of the said bank who has not received a new certificate for the consolidated shares at twenty dollars per share: *Provided, always,* That the holder of any number of original shares, under ten, shall be at liberty to sell and assign the same to whomsoever he may by endorsement upon the certificate held by him, which endorsement shall, without transfer at the bank, entitle the assignee to demand the redemption of the said shares as above provided, or the consolidation of them whenever he has acquired or holds ten, or the multiple of ten shares, at the price or rate as in the first Section of this Act made and provided.

A. D. 1875.

Original  
shareholders  
may sell and  
assign shares.

SEC. 3. That the said Board of Directors of the People's Bank are hereby further authorized and empowered, from time to time, to increase the number of shares and the capital of the said bank at any time after thirty days' notice of their intention so to do, published in one or more newspapers of the city of Charleston, to a number not exceeding in the whole fifty thousand shares, each to be of the par value of twenty dollars, and to open books of subscription for such additional shares, under such regulations as they shall prescribe: *Provided, always,* That the stockholders shall have preference in subscription to the increased stock in proportion to the amount then held by them.

Shares may  
be increased.

Proviso.

SEC. 4. That the said People's Bank is hereby further authorized to receive deposits in such sums, and at such times, as the Board of Directors may state by public advertisement, and pay the same with a stipulated rate of interest upon them at stated periods, the interest to be paid in money or to be placed at the credit of said depositors upon the same terms and conditions as the original deposits. That all such deposits as may be received by said corporation, under the authority conferred in this Section, may be invested in any public stock or bonds created by virtue of any law of this State, or any ordinance of the city of Charleston, or in the capital stock of any bank within this State, or in United States stocks or bonds, or in the stocks or bonds of any railroad company incorporated in this or in any other State, or such deposits may be loaned on promissory note secured by pledges of such stocks at not more than their market value, or on bonds secured by mortgage of real estate lying within the city of Charleston, at not more than seventy-five per cent. of the market value of such real estate: *Provided,* That no Director or other officer of said corporation shall borrow any part of the moneys so received on deposit by virtue of this Section.

May receive  
deposits.

How to be  
invested.

Directors not  
to borrow  
money.

SEC. 5. That the number of the Directors of the said banks shall

A. D. 1875.

Directors,  
number re-  
duced.

Meeting to be  
called for that  
purpose.

Proviso.

Change in  
system of vo-  
ting.

Unconsoli-  
dated shares.

Reduction of  
number of  
shares.

Meeting to be  
called for the  
purpose.

and may be reduced from thirteen (the present number) to not less than five at and after the next annual election to be held under the present charter, such reduction to be proposed by the present or any future Board of Directors of each and either of the said banks and submitted for their approval to a general meeting of the stockholders to be called for that purpose, to be held after four weeks' notice by public advertisement in the two daily newspapers of the city of Charleston, stating the day and hour and the purpose of said meeting in the said advertisement, which said advertisement shall be published at least three times a week, for the said four weeks, in each of the said newspapers before the day of the said meeting: *Provided*, That should no quorum assemble at said meeting, the failure to have a quorum shall be considered as an approval by the stockholders of said proposition adopted by said Board of Directors.

SEC. 6. That on and after the day of the annual election for Directors of the said banks next after the passage of this Act, the present scale of voting by the stockholders shall be abolished, and each of the shares already consolidated, or which may, before that day, be consolidated, according to, and under the provisions of this Act, or of the Act of the General Assembly entitled "An Act to amend and extend the charter of the Planters' and Mechanics' Bank of South Carolina, and for other purposes therein named," passed on the 9th day of December, in the year of our Lord, 1870, shall entitle the holders thereof to one vote, without regard to the number held by him.

SEC. 7. That the shares held prior to the consolidation made under the said last mentioned Act of Assembly, which shall remain unconsolidated on the day of the said annual election for Directors of the said banks shall thenceforth cease to entitle the holders thereof to any other right or interest in the said banks, except to be paid the sum of one dollar for each such share upon surrender of scrip held for the same.

SEC. 8. That whenever it may, in the opinion of the President and Directors of the said banks, be best for the interest of the stockholders to reduce the number of shares then outstanding, either for the purpose of preserving or increasing their par value, not to exceed one hundred dollars per share, such Board of Directors may arrange and submit to a meeting, to be called for that purpose, and advertised for the time and in the manner provided hereinbefore, in regard to the reduction of the number of Directors, a scheme for such reduction and consolidation, which, if approved by said meeting, if a quorum shall so assemble on the day appointed, or if no quorum shall so assemble on that day, shall from and after that day



be adopted, and the shares shall be thereupon reduced and consolidated according to scheme, and new scrip issued therefor, each of which new shares shall thenceforward entitle the holder to a vote, and no one holding shares unconsolidated according to that scheme shall be entitled to a vote.

A. D. 1875.

SEC. 9. The present charters of the said banks are hereby altered and amended, as in the previous Sections of this Act is provided; and in all other respects the said charters are hereby confirmed as if these provisions had been originally incorporated in the said charter.

Original charter confirmed, with certain exceptions.

Approved March 25, 1875.

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AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF RIDGEVILLE," IN THE COUNTY OF COLLETON.

No. 785.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Ridgeville," approved February 23, 1875, be, and the same is hereby, amended by striking out, wherever it occurs in said Act, the words "in March," and insert in lieu thereof the words "in May," so as it will read: "That the first election to be holden in said town shall be the first Monday in May, 1875."

"March" stricken out and "May" inserted.

Approved March 25, 1875.

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AN ACT TO REPEAL ALL ACTS AND PARTS OF ACTS REQUIRING DEPOSITS BY INSURANCE COMPANIES OF STOCKS OR BONDS OF THIS STATE, OR OF THE UNITED STATES, FOR THE PROTECTION OF POLICY HOLDERS WITHIN THE STATE.

No. 786.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 98, 99, 100 and 101, Chapter XVII; and Sections 1, 2, 3, 4 and 10, Chapter LXII, of the General Statutes of South Carolina; and also an Act entitled "An Act to amend Sections 98, 99 and 100, Chapter XVII, of the General Statutes of South Carolina, relating to holders of insurance policies," approved February 14th, 1873, be, and the same are hereby, repealed.

Repeal of certain Sections, &c.



A. D. 1875.

Deposits  
heretofore  
made to be  
returned to  
owners.

SEC. 2. That the Comptroller General be, and he is hereby, authorized and required to return all bonds or stocks heretofore deposited in pursuance of the laws repealed by the preceding Section, except such as have been attached by process of law pending suits now before the Courts, to the person or persons, company or association who may have deposited the same.

Approved March 26, 1875.

No. 787.

## AN ACT TO INCORPORATE THE BANK OF MARION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. Graham, T. E. Stackhouse, H. E. Hayne, C. Gregg, J. M. Johnson, Isaac B. Grainger, David R. Murchison, Charles M. Stedman, J. W. Atkinson, H. Vollers and C. Smith, their future associates and successors, shall be, and they are hereby, constituted a body politic and corporate, by the name and style of "The Bank of Marion," for the term of thirty years, and, as such corporation, shall have and may exercise and enjoy all the rights, powers and privileges incident to or enjoyed by any bank or banking institution now existing as a corporation under or by virtue of the laws of this State.

Corporators.

Corporate  
name.

Capital stock.

SEC. 2. The capital stock of said corporation shall not be less than fifty thousand dollars, and may be increased from time to time, as said corporation may elect, to a sum not exceeding two hundred thousand dollars, and the same shall be held by the corporators in said corporation in shares of twenty-five dollars each.

Books of sub-  
scription to be  
opened.

SEC. 3. The corporators in the first Section named, or any three of them, may open books of subscription to the capital stock of said bank, at such time or times, and at such places, and for such periods, as a majority of the corporators named may determine, and so soon as the sum of fifty thousand dollars shall be subscribed thereto, the before named corporators, or a majority of them, on such notice as they may consider sufficient, shall call a meeting of such subscribers to be held at the town of Marion, in the County of Marion, in this State; and at such meeting, and at all future meetings of the stockholders of said bank, the shares of the capital stock may be represented in person or by proxy. The subscribers to said

Election of  
Directors.

stock, at their meeting to be held as aforesaid, shall elect from themselves such a number of Directors of said corporation as they may think proper, who shall continue in office for one year, and until their successors shall be duly elected, and thereafter there

shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office shall be as above provided. The Directors chosen or elected at any such meeting shall, from among themselves, elect a President and a Vice President, to act as such during the term of office of such Directors, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws of said corporation, or as shall be incident to their respective offices.

A. D. 1875.

President and  
Vice President  
to be chosen.

SEC. 4. The said corporation may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations; may purchase and hold such real and personal property and estate as may be conveyed to it to secure debts to the corporation, or may be sold under execution to satisfy any debt due in whole or in part to the corporation, and may sell and dispose of the same; may purchase and hold such real estate as may be deemed necessary or convenient for the transaction of its business, and may sell and dispose of the same at pleasure; may discount notes, bills of exchange, bonds and other evidences of debt, and lend money on such terms as may be agreed on. It may receive on deposit moneys on such terms as may be agreed on with depositors, and issue certificates therefor, negotiable or assignable in such way as may be inserted in the same. Said corporation may sue and be sued, plead and be impleaded in any Court in this State, may adopt and use a corporate seal, and alter the same at its pleasure, may adopt all such by-laws for the general management and direction of the business and affairs of said corporation, not inconsistent with the laws of this State, as may be deemed proper, and have all such other rights and privileges as are or may be conferred on corporations by the general laws of this State: *Provided*, That the stockholders shall be liable to the amount of their respective share or shares of stock, for all its debts and liabilities, upon note, bill or otherwise, and upon the further condition that no Director or other officer of said corporation shall borrow any money from said corporation; and if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine and imprisonment at the discretion of the Court. The books, papers and accounts of said bank shall be open to inspection under such regulations as may be prescribed by law.

Powers and  
privileges.

Liability of  
stockholders.

Penalty for  
violation of  
certain pro-  
visions.

SEC. 5. The President and Directors of said corporation may appoint all necessary officers and employees of said corporation, fix their compensation, and take security for the faithful discharge of their respective duties, prescribe the manner of paying for the stock

President and  
Directors to  
appoint officers

A. D. 1875.

Delinquent  
stock may be  
sold.

of the corporation, and the transfer thereof; and may, from time to time, prescribe such penalties for the non-payment of subscriptions to the capital stock of the corporation as they may deem proper, and the same, together with any unpaid instalments on such subscriptions, may be recovered in any Court having jurisdiction of the aggregate amount so due, or the stock may be sold for cash, after twenty days' notice, advertised in a newspaper published in said town of Marion; and if, at any such sale, the sum bid should not be sufficient to satisfy and discharge the amount so due, together with the costs and charges incident to such sale, the subscriber in default shall be liable for any deficiency, and the same may be recovered in the name of the corporation in any Court having jurisdiction.

Approved March 26, 1875.

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NO. 788. AN ACT TO ALLOW JOAB COTTON TO ERECT TWO GATES ACROSS THE GARNER'S FERRY ROAD, IN RICHLAND COUNTY.

Joab Cotton  
to erect gates.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joab Cotton, of the County of Richland, be, and he is hereby, empowered to erect two gates across the Garner's Ferry Road, in Richland County.

SEC. 2. That this Act shall take effect immediately after its passage, and continue in force until repealed.

Approved March 26, 1875.

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NO. 789. AN ACT TO REQUIRE THE COUNTY TREASURER OF PICKENS COUNTY TO ATTEND AT SUNDRY PLACES IN SAID COUNTY FOR THE COLLECTION OF TAXES.

Places of col-  
lection of taxes  
designated.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Treasurer of Pickens County to attend, annually, at the following places in said County for the collection of taxes, viz: Easley Station, Abner Odell's, Central Station, Howard's Shop, Pickens Court House, Dacusville, Pumpkintown and Eastatoe Camp Ground, at least two days at each place: *Provided, however,* That the office of said County Treasurer, at Pickens

Proviso.

Court House, shall be kept open during the collection of taxes, except when attending other places for the collection of taxes as herein provided.

A. D. 1875.

SEC. 2. That the failure of the County Treasurer to carry out the provisions of this Act shall be deemed a misdemeanor, and, on conviction thereof, he shall be fined not exceeding five hundred dollars, nor less than three hundred dollars.

Penalty for violation of Act.

Approved March 26, 1875.

AN ACT TO AMEND SECTION 6 OF AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF ANDERSON." No. 790.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 6 of an Act entitled "An Act to renew and amend the charter of the town of Anderson" be, and the same is hereby, amended, by adding, at the end thereof, the following words, to wit: "*Provided, also,* That whenever the said Town Council shall impose a fine upon a party convicted of an offense, who shall refuse, or fail, or be unable to pay the same, the said Town Council shall have power and authority to commute his sentence to labor on the public streets of the said town for a period not exceeding twenty days."

Sentence of offenders may be commuted to labor on streets.

Approved March 26, 1875.

AN ACT TO REGULATE THE COMPENSATION OF THE MEMBERS OF THE GENERAL ASSEMBLY, AND TO FIX THE MILEAGE OF THE SAME. No. 791.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each member of the General Assembly shall hereafter receive, for each regular session, such per diem compensation as will amount to and not exceed the sum of six hundred dollars, (\$600,) and the further sum of twenty (20) cents for every mile of the ordinary route of travel in going to and returning from the place where such session is held; and when convened in extra session, each member shall receive the same mileage and per diem compensation as are fixed for the regular session, and none other: *Provided*, That said per diem compen-

Compensation for regular session.

Extra session.



A. D. 1875.

sation of the extra session shall be determined by the per diem compensation of the regular session next preceding such extra session.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 26, 1875.

NO. 792. AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN AND FOR THE COUNTY OF CHESTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall appoint, by and with the advice and consent of the Senate, nine Trial Justices for the County of Chester, and no more, to hold their offices for the term of two years, unless sooner removed by the Governor.

Governor to appoint.

Term of office.

Location.

SEC. 2. That the Trial Justices so appointed shall be commissioned by the Governor in the following manner, to wit: Two for the village of Chester, one for Lewisville, one for Landsford, one for Hazelwood, one for Battenrough, one for Rossville, one for Blackstock, and one for Harlesville, and shall keep their offices at the respective places for which they are commissioned, which shall be opened from day to day for the transaction of business.

Salary.

When payable.

SEC. 3. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings and heretofore payable to them by the County, each of said Trial Justices, outside of the town of Chester, shall be allowed a salary of one hundred and fifty dollars per annum, and the two in the town of Chester two hundred and fifty dollars each per annum, payable quarterly on the first Monday of January, April, July and October, by the County Treasurer of such County out of the County funds, and no account or claim, other than for such salary, shall be preferred by, allowed or paid to any Trial Justice of said County on account of criminal proceedings.

Reports.

To pay over fees.

SEC. 4. That the said Trial Justices for Chester County are hereby required, on the first of each and every month, to file with the Clerk of the Circuit Court of said County a report duly verified of all the fees and costs charged, and fines imposed, in criminal cases and proceedings had before them, and, immediately upon the filing of such report, the said Trial Justices shall pay over to the County Treasurer of said County the amount of such fees, costs and fines by them severally collected and recovered.

SEC. 5. That all the appointments of Trial Justices for the County of Chester, heretofore made, shall cease and determine on the appointment of Trial Justices provided for in this Act, and the Trial Justices provided for in this Act shall enter upon their duties immediately after their qualification.

A. D. 1875.

Former appointments to cease.

SEC. 6. That the Trial Justices appointed for Chester County may appoint such proper and discreet person or persons as he may select to serve criminal processes, or to make any arrests required; and such process or warrant shall, when assigned to such person for service, invest the said person, for the purposes therein set forth, with all the powers belonging to the office of a Constable; and he shall, upon accepting any such paper for service, take and subscribe to the oath prescribed by law for the qualifications of Constables, and every such person shall receive, for each paper served, or for each arrest made, the sum of twenty-five cents, except summons for witnesses and jurors, for which he shall receive the sum of ten cents, the same to be paid by the County Treasurer upon the order of the County Commissioners.

Constables.

Fees.

SEC. 7. That if either of the Trial Justices appointed for the County of Chester shall neglect to attend to the duties of their offices, or shall be guilty of extortion or oppression in office, or shall fail to pay over, as required by this Act, the fees and fines collected by him in his office, he shall be liable to indictment therefor, and on conviction shall be liable to imprisonment for two years, or a fine of five hundred dollars, or both, within the discretion of the Court, and shall be removed from office.

Failure to attend to duties.

Penalty therefor.

SEC. 8. That the County Commissioners of Chester County be, and they are hereby, instructed to cause to be set aside annually, out of the County fund, a sum sufficient to pay the salaries of the officers herein provided for, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty of which shall be fine or imprisonment, as may be deemed best in the judgment of the Court.

Payment of salaries provided for.

SEC. 9. The Trial Justices so appointed shall each give a bond of five hundred dollars for the faithful performance of their duties, the bond to be approved by the Judge of the Sixth Judicial Circuit.

Bond.

SEC. 10. That the reports required to be made by Section 4 of this Act shall be read in open Court on the first day of the term of the Court of General Sessions after the appointments herein authorized, and on the first day of each term thereafter.

Reports to be read in open Court.

A. D. 1875.

## AN ACT TO PUNISH PERSONS FRAUDULENTLY PACKING COTTON.

No. 793.

Packing for-  
eign substances  
in cotton a mis-  
demeanor.

Penalty there-  
for.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, if any person or persons whomsoever shall be convicted in the Court of General Sessions of this State of knowingly and wilfully packing into any bag, bale or bales of cotton, any stone, wood, trash cotton, cotton seed, water, or any matter or thing whatsoever, or causing the same to be done, with the intent and purpose of cheating or defrauding any person or persons whomsoever, in the sale of such cotton, or shall exhibit or offer for sale any bag, bale or bales of cotton so fraudulently packed, the said person or persons, at the time of the said exhibit or offer for sale, knowing the same to be so fraudulently packed, shall, on conviction thereof, as aforesaid, be sentenced to pay a fine of not more than five hundred dollars, nor less than twenty dollars, and be imprisoned for a term of not more than six months, and not less than one month.

Approved March 26, 1875.

No. 794. AN ACT TO INCORPORATE THE STONO PHOSPHATE COMPANY, OF CHARLESTON, AND TO AUTHORIZE THE SAID COMPANY TO BORROW MONEY ON BOND AND MORTGAGE OF THE PROPERTY THEREOF.

Corporators.

Corporate  
name.

Par value of  
shares.

May issue  
bonds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Ravenel, James S. Gibbes, and others, their associates, who are now Directors and stockholders of the Stono Phosphate Company, be, and the same are hereby declared to be, a body corporate and politic, under the name of "The Stono Phosphate Company, of Charleston," with the right to own a common seal, to sue and be sued, and to own real and personal property to an amount not exceeding five hundred thousand dollars.

SEC. 2. That the shares of the said company shall be of the number and par value fixed by the said corporation at a general meeting thereof, but that they shall not exceed in par value the sum of five hundred thousand dollars.

SEC. 3. That the said corporation shall be, and it is hereby, invested with full power and authority to issue its bonds, sealed with the seal of the said corporation, in sums of one hundred, two hun-

dred, five hundred and one thousand dollars, bearing a fixed rate of interest, to be mentioned in such bond or bonds, and payable at a time therein to be limited; which bonds shall be secured by a mortgage of all of the property of the said corporation.

SEC. 4. That the said corporation shall not go into operation unless it shall file with the Comptroller General satisfactory proof, within four months from the passage of this Act, that it has paid in and invested at least one hundred thousand dollars of capital.

SEC. 5. That the said corporation shall be subject to all regulations which have heretofore been or may hereafter be imposed on companies engaged in the manufacture of fertilizers.

SEC. 6. That this Act shall be a public Act, and shall take effect from its passage, and that it shall remain in force for fifteen years from the date of its approval.

Approved March 26, 1875.

A. D. 1875.

When to go into operation.

Subject to regulations imposed on similar corporations.

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AN ACT TO ALTER AND AMEND THE LAW IN RELATION TO THE PLACE OF TRIAL OF CIVIL ACTIONS AND SPECIAL PROCEEDINGS IN WHICH THE STATE IS INTERESTED. No. 795.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all civil actions and special proceedings brought by the Attorney General in the name or on behalf of the State, and all civil actions and special proceedings wherein it may be the duty of the Attorney General to appear for or on behalf of the State, shall be tried in Richland County.

Actions to be tried in Richland County.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 26, 1875.

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AN ACT TO ENCOURAGE COLONIZATION IN THE STATE OF SOUTH CAROLINA. No. 796.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Judges of the Circuit Courts be, and they are hereby, authorized to grant charters of incorporation, upon the application of five or more of the members thereof,

Circuit Judges may grant charters.



A. D. 1875.

to associations formed for the purpose of establishing colonies or settlements in the State of South Carolina, to carry on any agricultural, mining, mechanical or manufacturing operations, for erecting mills, furnaces or factories, or constructing and operating any turn-pikes, plank roads, tramways, railways, or any other suitable forms of road or modes of conveyance, to connect any settlement made by such colony with any line of railroad, canal, river, or other avenue to market, to charge for the use of the same, subject to all the provisions and restrictions of the laws of South Carolina applicable thereto and not inconsistent herewith.

Form of application.

SEC. 2. The application to the Court for a charter for such associations shall be made in the manner and form prescribed by the law of this State for other corporations in an Act entitled "An Act to provide for granting of certain charters," approved February 20th, 1874: *Provided*, That said application shall be made to the Judges of the Circuit Court, instead of to the Clerk of the Court.

Powers and privileges.

SEC. 3. Associations incorporated under the provisions of this Act shall be authorized to purchase and hold such land and real estate as may be necessary for the purposes thereof, to sell the same, or portions thereof, to members or others, to purchase and own live stock and implements, to erect mills, factories and furnaces, to construct roads, to build bridges, to borrow money at such rates of interest as may be agreed upon, on mortgage or otherwise, to loan money to members for improvements, to have a common seal, to represent joint property by stock, and to exercise generally all the rights and enjoy the privileges of corporations under the laws of this State, banking excepted.

Duration.

SEC. 4. That all charters granted under this Act shall continue in force for a period of ten years.

Approved March 26, 1875.

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No. 797. AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE WATEREE FREE BRIDGE TO PROTECT THE SAME BY A PROPER ROOF.

Commission to erect roof.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Special Commission constituted by the Act approved February 15, 1872, entitled "An Act to authorize the erection of a certain bridge over Wateree River," be, and they are hereby, authorized and empowered to cause the said bridge erected by them under said Act to be covered by a suitable roof and other structures necessary for its preservation.

SEC. 2. That the said commission be, and are hereby, authorized to issue bonds of the County of Kershaw, to an amount not exceeding three thousand dollars, payable ten (10) years after date, and bearing interest at the rate of eight per cent. per annum, payable annually on the first day of July in each and every year, and to dispose of said bonds in the manner provided for in Section 3 of said Act.

A. D. 1875.  
 To issue  
 bonds.

SEC. 3. That the County Commissioners shall provide for the payment of the said bonds and the interest on the same by the levy of an annual tax in the manner authorized in Section 4 of said Act, and the special tax authorized to be levied by them in said Section of said Act shall continue to be levied by the said County Commissioners until the bonds issued under the said Act, and those authorized to be issued under this Act, shall have been fully paid and satisfied, with all the interest that may have accrued for the same.

Payment of  
 same.

SEC. 4. That this Act be declared a public Act, and be so taken and deemed in all the Courts of this State.

Approved March 26, 1875.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE ACT, AND TO AMEND THE SAME." No. 798.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That paragraph 16, Section 6 and Sections 10, 11, 12, 13, 14, 15, 22, 23, 24, 26, 35, 37, 40, 44, 55, 56, 57, 61 and 83 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," be, and the same are hereby, amended by striking out the word "July," wherever it occurs therein, and inserting the word "June" in place of the same; and by striking out the word "August," wherever it occurs therein, and by inserting the word "July" in place of the same.

"July" inserted in place of "June."

"August" inserted in place of "July."

SEC. 2. That Section 41 of the same Act be, and the same is hereby, amended by striking out the word "June," on the fifth line thereof, and inserting the word "May" in place of the same.

"May" inserted in place of "June."

SEC. 3. That Section 54 of the same Act be, and the same is hereby, amended by striking out, on the 5th, 6th and 7th lines of said Section, the words "of which written notice shall be given by

A. D. 1875.

Auditor not  
to increase re-  
turns.

the Auditor to such person, at least fifteen days before the meeting of the Board of Equalization," and inserting in place of the same the following words, to wit: "But said County Auditor shall not increase the return as made by any tax-payer, his, her or their agent, except by the authority of the County Board of Equalization."

County Board  
of Equaliza-  
tion, when to  
meet.

Length of ses-  
sion.

Notice of time  
and place of  
meeting.

Increased as-  
sessment.

Notice to be  
given to tax-  
payer.

Time of meet-  
ing of Special  
Board for  
Charleston.

Abstract of  
realty, when to  
be transmitted.

Time of de-  
linquent sales.

SEC. 4. That Section 61 of the same Act be, and the same is hereby, amended by striking out the words "as often as the Chairman, or a majority thereof, shall direct," on the twelfth and thirteenth lines thereof, and inserting in place of the same the following words, to wit: "On the first Monday in August, annually;" by inserting between the word "value" and the word "they," on the twenty-first line thereof, the following words, to wit: "Continuing in session from day to day until the entire work is completed. They shall meet thereafter, whenever notified by the County Auditor;" and by adding at the end of said Section the following words, to wit: "He shall also cause a notice of the time and place of the first day of the second meeting of the said Board to be published in some newspaper published in his County once a week for at least two weeks previously, or if there be no newspaper published in his County, then he shall cause such a notice to be posted at the County Court House, and at least two other public places in the said County, at least fourteen days previously, and the expense of such notice shall be paid by the County Treasurer, on the warrant of the County Commissioners; and he shall also, whenever the assessments upon any property shall be increased by said Board, give notice of such increase to the tax-payer at least ten days before the meeting of said Board to take final action upon such assessment, so that he may appear and show cause, if he see fit to do so, why the assessment should not be increased.

SEC. 5. That Section 62 of the said Act be, and the same is hereby, amended by striking out the words "first Monday in September," on the sixth line thereof, and inserting the words "last Monday in July" in place of the same.

SEC. 6. That Section 63 of the said Act be, and the same is hereby, amended by striking out the words "September, one thousand eight hundred and seventy-one," on the second line thereof, and inserting the words "October, one thousand eight hundred and seventy-five," in place of the same.

SEC. 7. That Section 99 of the said Act be, and the same is hereby, amended by striking out "second Monday," on the tenth line thereof, and inserting "third Monday," by striking out all after the word "sale," on the fifteenth line thereof; also, striking



out the word "first," on the third line of Section 100, and insert the word "second;" also, strike out the word "second," on the second and fifteenth lines of Section 101, and insert the word "third;" strike out all after the word "thereon," on the eleventh line thereof.

A. D. 1875.

SEC. 8. That Section 136 of the same Act be, and the same is hereby, amended by inserting between the word "office" and the word "he," on the sixth line thereof, the following words, to wit: "Or, if any County Treasurer, County Auditor, County Commissioner, or member of a County Board of Equalization, shall neglect, refuse or evade the performance of the duties imposed upon him by this Act, or if any County Auditor shall neglect or refuse to comply with the requirements of law in the making up of his duplicate, or shall fail to file with the Comptroller General the abstracts, vouchers and settlement sheets within the time required by law, or if any County Treasurer, after being notified of his removal or suspension from office, shall fail to settle with the County Auditor and Comptroller General, and pay over all State and County moneys in his hands to the officers entitled by law to receive the same within ten days after being so notified."

Penalty for  
non-compliance with provisions of Act.

Approved March 29, 1875.

AN ACT TO ESTABLISH, BY LAW, THE VOTING PRECINCTS IN THE  
VARIOUS COUNTIES OF THIS STATE. No. 799.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter at all general and special elections held in this State, the same shall be conducted at the voting precincts which are hereby fixed by law in the various Counties, cities and towns of this State, and the number, location and names of which said precincts, for said Counties, cities and towns, respectively are, and shall be, as hereinafter designated, to wit:

Notice of  
precincts.

In the County of Abbeville there shall be seventeen voting precincts, as follows: Abbeville Court House, Calhoun Mills, St. Charlotte, Cokesbury, Greenwood, Ninety-Six, Donaldsville, Due West, Centerville, Childs' Cross Roads, Smithville, Lowndesville, Magnolia, White Hall, Long Cane and Cedar Springs.

Abbeville.

In the County of Anderson there shall be twenty-two voting precincts, as follows: Anderson Court House, No. 1, Anderson Court House, No. 2, Anderson Court House, No. 3, Pendle-

Anderson.



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ton, Sandy Springs, Centreville, Bethany, Ball's Mills, Greenwood, Brushy Creek, Williamston, Belton, Honea Path, Calhoun, Craytonville, Millford's, Long's Shop, Dark Corner, Williford's Store, Brown and Farmer's Store, G. W. Maret's, Holland's Store.

Aiken.

In the County of Aiken there shall be eleven voting precincts, as follows: Aiken Court House, Beach Island, Silverton, Hamburg, Jordon's Mill, Boyde's Store, Miles' Mill, Merrit's Bridge, Graniteville, Fountain Academy, Windsor's.

Barnwell.

In the County of Barnwell there shall be fifteen voting precincts, as follows: Allendale, Barnwell, Blackville, Buford's Bridge, Barker's Mill, Erhard's Mill, Graham's, Millet, Midway, Cainan's Fair Church, Robins', Red Oak, Williston, Bell Dock, Bamburg.

Beaufort.

In the County of Beaufort there shall be thirty-one voting precincts, as follows: Brick Church, Coffin Point, Woodlawn, Beaufort, Myrtle Bush, Grey's Hill, Paris Island, Port Royal, Chisolm's Landing, Gardner's Corner, Pocotaligo, Peeple's, Varnsville, Hickory Hill, Brunson, Black Creek, Beach Branch, Matthews' Bluff, Lawtonville, Brighton, Lawton Church, Henniss' Cross Roads, Hardeeville, Levy's Cross Roads, Bellinger's Hill, Gillisonville, Grahamville, Jenniss' Cross Roads, Bluffton, Mitchellville and Nixville.

Charleston.

For the County of Charleston, exclusive of the city limits, there shall be forty voting precincts, as follows: Christ Church Parish, Mount Pleasant, Wappetaw Church, Four Mile Church; St. Thomas and St. Dennis' Parish, Muster House, New Hope Church, Ben Potter's at Half Way Creek; St. James' Santee Parish; Dutart's Creek, Thirty-two Mile House, Board Church or Pinckney Gaul, Henderson's Store; St. Stephen's Parish, Pineville, St. Stephen's Depot, Blackville; St. John's Berkley Parish, Black Oak, Biggin Church, Strawberry Ferry, Calamus Pond, Pineopolis; St. Andrews' Parish, Lamb's Farm, Club House, Redtop Church; James' Island, Cut Bridge, Dill's Bluff Baptist Church; John's Island, Andell's Store, Campbell's Church, Rushland; Wadmalaw Island, Camp Ground, Enterprise; St. John's Colleton Parish, Edisto Island, Calvary Church, Right's Store; St. James' Goose Creek Parish, Four Mile House, State Road, Whaley's Church, Mt. Holly, Summerville, Wassamasaw Chapel, Hickory Bend Cross Roads.

Charleston City.

In the city of Charleston there shall be seventeen voting precincts: City—Ward 1—1. City Hall; 2. Church street, near Water. Ward 2—1. Court House; 2. Union Star Engine House. Ward 3—1. Market Hall; 2. Palmetto Engine House; 3. Corner Inspection and Washington streets. Ward 4—1. Hope Engine House, Archdale street; 2. Stonewall Engine House, corner George and Col-

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lege streets; 3. Comet Engine House, Beaufain street. Ward 5—1. Eagle Engine House, Meeting street; 2. United Engine House, Calhoun street. Ward 6—1. Washington Engine House, Vanderhorst street; 2. Marion Engine House, Cannon street; 3. Ice House, Rutledge street. Ward 7—1. Ashley Engine House, Columbus street. Ward 8—1. Niagara Engine House, Sires street.

In the County of Chester there shall be eleven voting precincts, as follows: Chester Court House, Lowrysville, Lewis' Turn Out, Torbette's Mill, Rossville, McAlilley's Mill, Carmel Hill, Dave Moffat's Store, Landsford, Boyd's Store, Rich Hill.

Chester.

In the County of Chesterfield there shall be nine voting precincts, as follows: Chesterfield Court House, Cheraw, Steerpen Springs, Cole Hill, Mt. Croghan, Old Store, Jefferson, Alligator, Oro.

Chesterfield.

In the County of Clarendon there shall be ten voting precincts, as follows: Manning, Fulton, Packsville, Calhoun, Shorter's, Tindale, Forks, Witherspoon, Brentley's, Mott's.

Clarendon.

In the County of Colleton there shall be nineteen voting precincts, as follows: Walterboro, Horse Pen, Bell's Cross Roads, Smoke's Cross Roads, Snider's Cross Roads, Preacher's Mill, Blue House, Ashepoo, Jacksonboro, Maple Cane, Gloverville, Adam's Run, Ravenel's, Rantowle's Station, Delamars' Cross Roads, Summerville, Ridgeville, George's Station, Stock's Causeway.

Colleton.

In the County of Darlington there shall be ten voting precincts, as follows: Darlington Court House, Nos. 1 and 2; Timmons ville, Society Hill, Florence, Whipple's, Lisbon, Leavenworth, Effington, Lydia.

Darlington.

In the County of Edgefield there shall be eighteen voting precincts, as follows: Edgefield Court House, Nos. 1 and 2; Meeting Street, Trapp's Mill, Haliwanger's Store, Johnson's Depot, Ridge Spring, Perry's Cross Roads, Coleman's Cross Roads, Talbert's Store, Cheatham's Store, Shaw's Mill, Curryton, Landrum's Store, Liberty Hill, Red Hill, Mount Willery, Richardsonville.

Edgefield.

In the County of Fairfield there shall be ten voting precincts, as follows: Jenkinville, Monticello, Feasterville, Youngville, Gladden's Grove, Durham's, Winnsboro, Ridgeway, Horeb Church, Doko.

Fairfield.

In the County of Georgetown there shall be twelve voting precincts, as follows: Georgetown, Sampit, Camero Bay, Upper Waccamaw, Lower Waccamaw, Santee, Black River, Pee Dee, Choppee, Grier's Poll.

Georgetown.

In the County of Greenville there shall be eighteen voting precincts, as follows: Greenville Court House, W. C. Yeargin's, John Charles', A. W. Ware's, Sullivan's Factory, T. Henry Stokes', Jesse K. Stone's, Jesse Burdett's, Sr., Batesville, Chick's Springs,

Greenville.

A. D. 1875. Double Springs Church, T. J. Mitchell's, G. W. Center's, John H. Goodwin's, Alfred Hood's, Marietta, Burton's Old Field, Reedy River Church.

Horry. In the County of Horry there shall be eleven voting precincts, as follows: Conwayboro, Socartee, Bull Creek Muster Shed, Dog's Bluff Muster Shed, Gallavant's Ferry, Floyd's Store, Green Sea, at Blanton's Cross Roads, Bayboro, at Round Swamp Store, Little River Village, Dogwood Neck School House.

Kershaw. In the County of Kershaw there shall be seven voting precincts, as follows: Camden, Nos. 1 and 2, Market and Court House Precincts, Schrock's Mill, Lyzenly, Buffalo, Flat Rock, Red Hill.

Lancaster. In the County of Lancaster there shall be seven voting precincts, as follows: Belair, Waxesaw, Lancaster Court House, Dry Creek, Taxahaw, Montgomery and Caston.

Laurens. In the County of Laurens there shall be eight voting precincts, as follows: At Laurens Court House, number 1, 2, 3 and 4; Clinton, Hamilton's, Young's Store, New Hope near Bryson's Old Field.

Lexington. In the County of Lexington there shall be fourteen voting precincts, as follows: Lexington Court House, Paul Black's Store, Leesville, Summit Point, Charles Hutto's, Williams', Red Store, Rish's Store, Casey's, Arthur's Turn Out, Luke Davis', Spring Hill, Effird's and Counts' Store, John Minnick's.

Marion. In the County of Marion there shall be fifteen voting precincts, as follows: Aerial, Berry's Cross Roads, Britton's Neck, Campbell's Bridge, Cain's, Friendship, High Hill, Little Rock, McMillan's, Marion, Mars Bluff, Mullins, Nichols, Old Ark and Stone's.

Marlboro. In the County of Marlboro there shall be eight voting precincts, as follows: Adamsville, Bennettsville, Brownsville, Brightsville, Hebron, Red Bluff, Red Hill and Smithville.

Newberry. In the County of Newberry there shall be eleven voting precincts, as follows: Newberry Court House, Nos. 1 and 2; Gibson's Store, Glymphville, Maybinton, Whitmier's Store, Jalapa, Williams' Store, Longshore, Prosperity and Pomaria.

Oconee. In the County of Oconee there shall be fourteen voting precincts, as follows: Walhalla, West Union, High Falls, Salem, Little River, Rowland's, Mrs. Barker's, Fenton, H. Hall's, Rock Springs, Westminster, Seneca City, Center, Silton's Mill and Fair Play.

Orangeburg. In the County of Orangeburg there shall be twenty-two voting precincts, as follows: Orangeburg Court House, Branchville, Rowe's Pump, Jamison T. O., Lewisville, Fort Motte, Fogle's, Washington Seminary, Club House, Griffin's, Avinger's, Felder's, Elliott's, Ziegler's, Bull Swamp, Gleaton's, Brown's, Cobettsville, Easterling's, Cedar Grove, Foures' Chapel and Bookhardt's.



In the County of Pickens there shall be nine voting precincts, as follows: Easley Station, Abner Odell's, Central Station, Howard's Shop, Pickens Court House, Dacusville, Pumpkintown, Eastatoe Camp Ground and Elijah Hinkle's.

A. D. 1875.

Pickens.

In the County of Richland there shall be twelve voting precincts, as follows: Acton's, Gadsden, Hopkins', Trenholm's, Davis', Killian's, Camp Ground, Garner's, City of Columbia—Ward 1, Ward 2, Ward 3, Ward 4.

Richland.

In the County of Spartanburg there shall be twenty-six voting precincts, as follows: Spartanburg Court House, Bivingsville, Pacolet Depot, White Plains, Macedonia Church, Limestone Springs, Grassy Pond, J. H. Ezell's Store, Thorne's, New Prospect, Cherokee Springs, McKelly's Old Place, Calvin Foster's, Campobello, Holly Springs, Duncan's, Crawfordsville, Reidsville, Cashville, Woodruff's, Hobby's, Walnut Grove, Hebron, Cross Anchor, Glenn Springs, Ralph Smith's Old Place.

Spartanburg.

In the County of Sumter there shall be eighteen voting precincts, as follows: Sumter Court House, Nos. 1 and 2; Stateburg, Providence, Rafton Creek, Bishopville, Carter Crossing, Swimming Pens, Mayesville, Johnston's Store, Lynchburg, Shiloh, Concord, Priviteer, Manchester, Spring Hill, Wedgefield, Corbett's Store.

Sumter.

In the County of Union there shall be fifteen voting precincts, as follows: Union Court House, Draytonville, Timber Ridge, Wilkinsville, Tollison's Store, Glandyburg Mills, Kelly's, Going's, Hughes', Santue, Goshen Hill, Cross Keys, Jasper Gibbs', Jonesville and Fish Dam.

Union.

In the County of Williamsburg there shall be eleven voting precincts, as follows: Kingstree, Salter's, Gourdin's, Anderson, Cedar Swamp, Black Mingo, Indian Town, Muddy Creek, Lewis' Store, McAllister School House and Sutton's.

Williamsburg.

In the County of York there shall be twelve voting precincts, as follows: Yorkville, Hickory Grove, Boynton, Bethany, Clay Hill, Fort Mill, Rock Hill, Coate's Tavern, Pride's Old Mill, McConnellsville, Blairsville, Bethel.

York.

Approved March 29, 1875.

AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS IN RELATION TO COUNTY COMMISSIONERS, THEIR POWERS AND DUTIES, INTO ONE ACT, AND TO AMEND THE SAME. No. 800.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-*



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| A. D. 1875.                                      | <p>eral Assembly, and by the authority of the same, That County Commissioners, elected in pursuance of Section 19 of Article IV of the Constitution, shall have jurisdiction over roads, highways, ferries and bridges, and all matters relating to taxes and disbursements of money for County purposes, the granting of licenses to retail spirituous or malt liquors, wine or cider, in accordance with the provisions of law, and in every other case that may be necessary to the internal improvement and local concerns in their respective Counties.</p>                                                                                                                                                                                                                                                                                                                                   |
| Jurisdiction.                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| When to be elected.                              | <p>SEC. 2. There shall be an election held on the second Tuesday of November, Anno Domini one thousand eight hundred and seventy-six, and on the same day every second year thereafter, for the election of three County Commissioners in each County.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| To give bond.                                    | <p>SEC. 3. That the County Commissioners shall, before entering upon the discharge of the duties of their office, be, and they are hereby, required to give a bond for the use of their respective Counties, in the penal sum of two thousand dollars each, with three good and sufficient sureties, to be approved by the Clerk of Court of their respective Counties; and in case the office of Clerk of Court is vacant, or if said Clerk refuses to act, then, by the Attorney General of the State, conditioned for the faithful performance of the duties of their office:</p>                                                                                                                                                                                                                                                                                                               |
| Proviso.                                         | <p><i>Provided</i>, That the County Commissioners of Charleston County shall furnish a bond, in the penal sum of ten thousand dollars each; and the County Commissioners of the Counties of Beaufort, Barnwell and Orangeburg shall furnish a bond of five thousand dollars each. County Commissioners shall, before entering upon their duties, be sworn, and at their first meeting shall elect a Chairman of their Board.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Term of office.                                  | <p>SEC. 4. Members of the Board of County Commissioners shall hold their office for the term of two years, and until their successors are elected and qualified: <i>Provided</i>, If any person elected a member of said Board shall remove from the County without intention to return, be or become disqualified, be removed from office, resign or die, the said office, upon proper evidence thereof, shall be declared vacant by the Governor of the State, who shall thereupon, by proclamation, if the vacancy to be filled be for more than one year, call an election in said County to fill the unexpired term of said office, giving at least twenty days' notice thereof in the newspaper having the largest circulation in said County; and if the unexpired term of said office is less than one year, the Governor shall fill the office of such unexpired term by appointment.</p> |
| Disqualification.                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Vacancies.                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Whole Board to meet for transaction of business. | <p>SEC. 5. That all the Board of County Commissioners shall be present for the transaction of business, and shall audit and sign all bills and checks. The checks shall, in all cases, be countersigned</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Clerk to countersign checks.                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

by the Clerk of the Board: *Provided*, That in case of the sickness, vacancy or inability to attend, a majority of said Board can act: *Provided, further*, That the reasons for the absence of any member shall be recorded with the proceedings of the meeting.

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SEC. 6. Every Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board, or connected with their powers or duties.

SEC. 7. The County Commissioners of the several Counties of this State shall meet annually at the County seat in their respective Counties for the dispatch of business; they shall hold special meetings, at such times and places as they may find convenient, and shall have power to adjourn from time to time as they may deem necessary.

Annual and special meetings.

SEC. 8. County Commissioners, when assembled for the performance of their duties, may punish disorderly conduct causing interruption to the business of their meetings, amounting to an open and direct contempt of their authority or their persons, by fine not exceeding ten dollars, or by imprisonment in the County jail for a term not exceeding twelve hours.

May punish contempt.

SEC. 9. Sheriffs, Deputy Sheriffs, Coroners and Constables, shall serve and execute all legal orders, warrants or processes to them directed by the County Commissioners.

Officers to serve processes.

SEC. 10. The Board of County Commissioners of each County in the State shall have power, at their annual meetings:

Powers.

1. To cause to be levied, collected and paid to the Treasurer of the County a certain sum of money which, in their judgment, may be necessary to construct bridges therein, and to prescribe upon what plan and in what manner the money to be raised shall be expended; and the money so raised shall be appropriated to no other purpose, unless there is an excess of this specific fund, and, in that event, the excess may be appropriated by the County Commissioners to the payment of any other legal claims against the County.

To raise money for building bridges.

2. To cause to be levied, collected and paid, a certain sum of money for rebuilding or repairing the Court House or jail of their County; and to prescribe upon what plan, or in what manner, money so raised shall be expended; and all work given out by the County Commissioners to be done on the public buildings as aforesaid, when the amount shall exceed one hundred dollars, shall be done by contract; and the Commissioners are hereby required to advertise the same, at least in one of the papers of the County, for thirty days for proposals; said proposals shall, in all cases, be accompanied by two or more sufficient sureties; and the County Commissioners shall have the right to reject any or all bids if in their judgment the interest of the County so require. If there should

To raise money for public buildings.

Work to be done by contract.

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be an excess in this specific fund in any year, it shall be appropriated by the County Commissioners to the payment of any other legal claims against the County.

To raise money for building poor houses and for support of poor.

3. To cause to be raised by tax upon each County any sum of money not to exceed five thousand dollars in any one year, for the purpose mentioned in the second and third sub-divisions of Section 12 of this Act; and if there is any excess in the fund in any year, the excess to be appropriated to the payment of any other legal claims against the County.

To raise money for current expenses.

4. To cause to be levied, collected and paid to the County Treasurer, a certain sum of money, which, in their judgment, may be necessary to pay all claims against the County for fees, disbursements, services or labor; and in the event of any excess in this fund over the amount of claims allowed, the excess shall be appropriated by the County Commissioners to the payment of claims of this character arising in the next succeeding fiscal year: *Provided*, That the levy mentioned in sub-divisions 1, 2, 3 and 4 of this Section, shall always be included in the general levy for County purposes, which shall not exceed in any one year the number of mills provided by law: *Provided, further*, That no other levy shall be made except by special enactment of the General Assembly.

To assess taxes for County purposes.

SEC. 11. The County Commissioners shall assess all taxes for County purposes upon the then last State valuation; and for this purpose shall, on or before the first day of November in each year, obtain from the Auditor of the County, (who is authorized and required to furnish the same,) a certified copy of the abstract of the County duplicate, and shall, on or before the 15th day of November thereafter, pursuant to authority given by special enactment of the General Assembly, make out and deliver to the County Treasurer, with their warrant to collect, a tax bill for County purposes; said tax bill and warrant shall be signed by the County Commissioners, sealed with their seal, and certified to by their Clerk; and said tax bill and warrant shall be the Treasurer's sufficient warrant, and he shall proceed thereon to collect the tax therein levied, in the same manner as provided by law for the collection of the State taxes. It shall be the duty of the County Treasurer to keep each fund raised by taxes for the specific objects separate and distinct, and to make a monthly report to the County Commissioners, showing the balance on hand of each fund, to enable the County Commissioners to appropriate the separate funds according to law.

Funds to be kept separate and distinct.

SEC. 12. The Board of County Commissioners shall have power, and they are authorized at any meeting thereof, lawfully assembled:

Payment of accounts.

1. To examine, approve and order paid all accounts of every



kind whatsoever against the County, and to draw orders upon the County Treasurer for the payment of the same; but the County Commissioners shall not draw any order upon the County Treasurer unless he has the funds in the treasury, appropriated for the particular object, to pay the same; and to enable him to determine whether there is the specific fund upon which to draw, the County Commissioners shall indicate, on the face of each order, the nature of the claim in payment of which it has been given.

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2. To purchase for the use of their respective Counties any real estate necessary for the erection of buildings, and for the support of the poor of such County.

Purchase of  
real estate.

3. To fix upon and determine the site of any such buildings, and cause to be erected necessary buildings for poor houses, and prescribe the manner of erecting the same.

Poor houses.

4. To borrow money for the use of such County, to be expended for the purchase of any real estate, or for the erection of any such buildings, and to provide for the payment thereof, with interest, by tax upon such County, within ten years from the date of such loan, in yearly instalments or otherwise: *Provided*, That no such loan shall be created by the County Commissioners until they notify the General Assembly of the necessity therefor, and authority be granted to them to create such loan, after submitting the same to the electors of the County, and likewise obtaining the authority of a two-thirds majority of the voters voting thereon.

May borrow  
money.

Proviso.

5. To authorize the sale or leasing of any real estate belonging to such County, and to prescribe the mode in which any conveyance shall be made: *Provided*, The sale or leasing of the real estate be recommended by the grand jury of such County, and receive the sanction of the Circuit Judge.

May lease or  
sell County  
property.

6. To make such orders concerning the use of the corporate property of the County for public County purposes as they may deem expedient.

7. To examine, approve or disapprove the official bonds of all County officers, except their own bonds, which must be examined and approved or disapproved by the Clerk of the Court or Attorney General.

To approve  
bonds.

8. To require any County officer, whose salary is paid by the County, to make report, under oath, to them, on any subject or matter connected with the duties of their offices; and the said officers are required to make such report whenever called upon by resolution of such Board; and if any officer shall neglect or refuse to make such report, he shall be deemed guilty of a misdemeanor and punishable by fine or imprisonment, within the discretion of the Circuit Judge.

May require  
reports from  
certain officers.



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Commission-  
ers to lay out  
highways.

9. To appoint Special Commissioners to lay out public highways in those cases where they shall be satisfied that the road applied for is important, and notice is given to the land owners through whose lands the highways will pass.

To divide  
County into  
highway dis-  
tricts.

10. To divide their Counties into highway districts, each district to contain not less than ten miles of public highways, nor more than forty miles, to be convenient for repairing highways, and may, from time to time, alter the same.

Compensa-  
tion of Special  
Commission-  
ers.

SEC. 13. The County Commissioners shall have power to provide for the payment of the Special Commissioners appointed under the ninth sub-division of Section 12 of this Act for their time and expenses, at a rate not exceeding three dollars per day each, and five cents for each mile of necessary travel. The decisions made by the Special Commissioners may be appealed from, and reviewed in the same manner, and with like authority, as is allowed by law from the acts of the County Commissioners. The work to be laid out by such special Commissioners, or the same as settled on appeal, shall be recorded, opened and worked as public highways of the towns, cities or Counties in which they are respectively situated, in the same manner as other highways of the town, city or County are required by law to be recorded, opened and worked: *Provided*, This power to open new highways shall not be exercised in any incorporated city, town or village.

Decisions  
may be review-  
ed.Roads may  
be opened and  
worked.Repairs of  
highways and  
bridges.Work to be  
done by con-  
tract.

SEC. 14. The County Commissioners shall take charge of and keep in repair the highways in the County; the bridges shall be repaired under their supervision, and the expense of the same shall be paid out of the money in the Treasury raised and appropriated for this purpose; and all the work on bridges, given out by the County Commissioners, when the amount shall exceed the sum of one hundred dollars, shall be done by contract; and the County Commissioners are hereby required to advertise the same in at least one of the papers of the County; said proposal shall, in all cases, be accompanied by two or more sufficient sureties, and the County Commissioners shall have the right to reject any or all bids if in their judgment the interest of the County so require.

Special meet-  
ings.

SEC. 15. Special meetings of the Board of County Commissioners of any County may be called by the Chairman of the Board, on his own motion, or the written request of other members of the Board.

Clerk of Board.

SEC. 16. Each Board of County Commissioners shall appoint some proper person to be their Clerk whenever necessary, and may remove him at pleasure, whose general duties it shall be:

Duties.

1. To record in a book, to be provided for the purpose, all proceedings by the Board.

2. To make regular entries of all the resolutions or decisions on all questions concerning the raising or payment of money.

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3. To record the vote of each Commissioner on all questions submitted to the Board, if required by any member present.

4. To preserve and file all the accounts acted upon by the Board.

Said Clerk shall take the oath prescribed by the Constitution. He shall receive a reasonable compensation for his services, to be fixed by the Board, not to exceed three dollars per day for the time actually and necessarily employed.

To take oath.

SEC. 17. Every resolution of any Board of County Commissioners, passed in pursuance of the provisions of this Act, shall be signed by the Chairman and Clerk of the Board, and be recorded in the book of miscellaneous records in the office of the County Commissioners.

Decisions to be recorded.

SEC. 18. The Board of County Commissioners of any County may adopt a seal, and when so adopted, the Clerk of such Board shall cause a description thereof, together with an impression therefrom, to be filed in the office of the Clerk of the Court of Common Pleas and General Sessions of said County, and in the office of the Secretary of State; and the same shall thereupon be the seal of the Board of County Commissioners for such County.

Seal of Board.

SEC. 19. Copies of all papers duly filed in the office of the Board of County Commissioners of any County, and transcripts from the books of record kept there, certified by such Clerk, with the seal of office affixed, shall be evidence in all Courts and places in like manner as if the original were produced.

Copies of records.

SEC. 20. Each County shall pay:

County to pay;

1. The fees of grand and petit jurors while in attendance upon the Circuit Courts.

Jurors.

2. Witnesses' fees, in State cases, for actual attendance on the Circuit Courts, and for actual attendance on a Trial Justice's Court.

Witnesses.

3. Fees of physicians and surgeons testifying as experts before a Coroner's jury, or at the Circuit Court, after a *post mortem* examination, ten dollars, and five cents per mile for actual and necessary travel.

Physicians for post mortem examinations.

4. Fees of Sheriffs, in State cases, at the rates allowed by law.

Sheriffs.

5. Fees of the Clerks of the Circuit Court, in State cases, and for all other services, to be paid by the County at the rates allowed by law.

Clerks of Court.

6. Fees of the County Coroners, at the rates allowed by law.

Coroners.

7. Fees of the Circuit Solicitors for services in the County, when not collected from the defendant, at the following rates: In a trial before a jury in civil or criminal cases, or before referees, a docket fee of ten dollars; in cases at law, when judgment is rendered without a jury, seven dollars and fifty cents.

Circuit Solicitors.

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Trial Justices.

8. All fees and accounts of Trial Justices and other officers for criminal proceedings, including cases of vagrancy, when not recovered from the defendant or party complaining, at the rates allowed by law, shall be paid by the County wherein the offense shall have been committed: *Provided*, Said fees and accounts do not exceed the sum of five hundred dollars per annum, and all accounts rendered for such proceedings shall state when such offense was committed: *Provided, further*, That the provisions of this Section shall not apply to the Counties where, by special legislation, such fees and accounts have been otherwise provided for.

Accounts—  
conditions re-  
quisite to ob-  
tain payment  
of.

SEC. 21. No accounts shall be audited and ordered to be paid by the County Commissioners for any labor performed, fees, services, disbursements, or any other matter, unless such account shall be made out in items and accompanied with an affidavit attached to and to be filed with such account, made by the person or officer presenting or claiming the same, that the items of such account are correct, and that the labor, fees, disbursements, services or other matter charged therein have been done, made, rendered or are due, in fact, and stating that no part of the same has been paid or satisfied. And the Circuit Solicitor, the Clerk of the Court, the County Sheriff and Trial Justices, shall declare, further, on oath, that the costs in such cases have not been recovered out of the defendants, and that the defendants are unable to pay costs; and, further, that all fines and penalties heretofore collected by them have been faithfully and fully paid over to the County Treasurer. Before the accounts of Sheriffs, Circuit Solicitors, Trial Justices, Clerks of the Court, and Coroners, shall be presented to the County Commissioners for examination, approval, and orders for payment upon the County Treasurer, they shall be examined and certified to as correct by the Judge presiding in the Circuit Court in the County. Before the fees of witnesses shall be examined and ordered to be paid by the County Commissioners, the certificate to be issued to them by the Clerk of the Court shall be certified to by the Circuit Solicitor that they are correct and the attendance upon the Circuit Court has been given for the number of days therein specified: *Provided*, Nothing in this Section shall be construed to prevent any Board from disallowing any account, in whole or in part, when so rendered and verified, if it appears that the charges are incorrect, or that the services or disbursements have not, in fact, been made or rendered, nor from requiring any other or further evidence of the truth or propriety thereof. No allowance or payment beyond legal claims shall ever be allowed. And the Board of County Commissioners in any County may refuse to audit or allow any claim or demand whatsoever, unless made out and verified in the manner herein specified.

Proviso.



SEC. 22. The fiscal year shall commence on the first day of November of each year. The annual meeting of the Board of County Commissioners for each County shall be on the first Tuesday after the first Monday of September, and the Clerk of the Board shall give notice of time of holding said annual meeting, by inserting the same at least once a week for four weeks previous to such meeting, in any newspaper published in the County; and if there be no paper published in the County, then he shall post said notice on the Court House door; said notice shall require all persons holding bills, accounts or demands of any kind against the County which have not been before presented to the Board of County Commissioners at special meetings held during the year, to deposit the same with the said Clerk on or before the first day of November, so that they may be examined and ordered to be paid at the annual meeting; and it shall be the duty of all persons holding such accounts or claims not paid to deposit them with the Clerk of the Board in accordance with the requirements contained in the notice.

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Fiscal year.

Presentation  
of accounts.

SEC. 23. Accounts presented, examined and approved by the County Commissioners during the fiscal year shall be numbered from number one upwards, in the order in which they are presented, audited and ordered to be paid; and a memorandum of the time of presenting the same, of the names of the persons in whose favor they shall be made out, and by whom they shall be presented, shall be entered in the minutes of the Board to which they shall be presented; and no such account, when presented, audited and ordered to be paid, shall be withdrawn from the custody of the Board or its Clerk for any purpose whatever, except to be used in evidence upon a judicial trial or proceeding, and, in such case, it shall, after being so used, be forthwith returned to such custody. And after the passage of this Act, no claims of any class or description drawn against any County in this State shall be paid by the County Treasurer of any County until such claims have first been examined, approved and allowed by the Board of County Commissioners of such County. And the said Commissioners, after examining, approving and allowing such claims, shall, if there be funds in the hands of the County Treasurer, subject to the payment of said claims, draw their checks for the payment of the said claims upon the Treasurer of their respective Counties, specifying the fiscal year for which the claims were contracted or incurred, and immediately cancel the said claims and file the same in their office as a voucher for their draft. And it shall not be lawful for any County Treasurer to pay any claim against the County except upon the checks of the County Commissioners of the said County, which shall bear upon their face not only the number, amount and name of the party in whose favor

Accounts to  
be numbered  
*seriatim*.Not to be  
withdrawn  
from custody  
of Board.Not to be  
paid until ex-  
amined and ap-  
proved.Drawing of  
checks.Cancellation  
of claims.Treasurer to  
pay only upon  
checks of Com-  
missioners.



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Treasurers to  
hold checks as  
vouchers.

County Audi-  
tor to cancel  
and receipt  
therefor.

they are drawn, but the nature of the claims for which they are drawn and the fiscal year in which they were contracted or incurred. The said checks shall be the vouchers of the County Treasurers, to be held by them until their annual settlement with the Auditors of their Counties, when the said checks of the County Commissioners shall be turned over to the County Auditors and shall be cancelled by them, and the said County Auditors shall thereupon give to the said County Treasurers their official receipts for the aggregate amount of such checks which have been paid within the year for which they were issued, which receipts shall be the personal vouchers of the said Treasurers.

Duties of  
Clerk.

SEC. 24. It shall be the duty of the Clerk of the Board to designate every account upon which any sum shall be audited and allowed by the Board, the amount so audited and allowed, and the charges for which the same was allowed; and he shall also deliver to any person who may desire it a certified copy of any account on file in his office, on receiving from such person ten cents for every folio of one hundred words contained in such copy; and the Board shall endorse on every account allowed and ordered to be paid words indicating that it has been audited above the signatures of each of the County Commissioners.

Books to be  
open to exami-  
nation.

SEC. 25. The books, records and accounts of the Board of County Commissioners shall be deposited with their Clerk, and shall be open, without reward, to the examination of all persons.

To publish  
annual state-  
ments of ex-  
penditures.

SEC. 26. It shall be the duty of the Board of County Commissioners in each County, annually, to publish in one or more newspapers printed or circulated in such County, the name of every individual who shall have had any account audited and allowed by said Board during the fiscal year, and the amount of said account or claim as allowed, together with the amount claimed.

Clerk, further  
duties.

SEC. 27. It shall be the duty of the Clerk of the Board of County Commissioners, on or before the first Tuesday after the first Monday in November in each year, to make out a statement, showing:

1. The number of days the Board shall have been in session within each year, and the distance travelled by the members respectively, in attending the meetings of the Board, or in performing other duty required of them.

2. Whether any accounts were audited and allowed, without being verified, according to law, and, if any, how much and for what; and such statement shall be certified by such Clerk, and be printed in a newspaper published or circulated in the County within two weeks after such statement shall be made out; and it shall be the special duty of such Clerk to see that the same is so published: and for every intentional neglect so to do, such Clerk shall be

deemed guilty of a misdemeanor, punishable by fine or imprisonment, within the discretion of the Court.

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SEC. 28. Each member of the Board shall be allowed compensation for his services in attending the meetings of the Board, and for necessary time spent in discharging other duties imposed by law, if any, at the rate of three dollars per day, and five cents per mile for necessary travel: *Provided*, That compensation shall not be allowed to any member of the Board of County Commissioners for exceeding one hundred days in any one year, except to the members of the Board of County Commissioners for the County of Charleston, who shall not be allowed compensation for exceeding one hundred and fifty days in any one year. An account shall be made out in items, with dates prefixed, accompanied with the affidavit of the member, stating that the items of such accounts are just, and that the services therein mentioned have been rendered as stated, and no part of said account has been paid. The accounts shall be presented to the County Auditor, who shall audit, and, if correct, the County Treasurer shall pay the same out of funds accrued from taxes levied and collected for payment of accounts and claims against the County. Copies of all accounts thus presented and paid by the County Treasurer shall be filed with the Clerk of the Board of County Commissioners, for the examination of all persons who may desire to inspect them.

Compensation of Commissioners.

*Provido.*

Treasurer to pay claims for services.

SEC. 29. No member of the Board of County Commissioners shall vote for an extra allowance to any person who is paid by salary, nor shall the Treasurer of said County knowingly pay to any such person any extra allowance; nor shall the County Commissioners approve any account of the County Auditor of any County for assessing property, for a greater amount than the actual cost of the same to the County Auditors, to be shown by an itemized account sworn to by the Auditors. Every offense against the provisions of this Section shall be a misdemeanor, punishable by a fine of not less than one hundred dollars, or by imprisonment in the County jail for a period not exceeding six months, or by both such fine and imprisonment.

Extra allowance prohibited.

Penalty for making.

SEC. 30. Should the County Commissioners, or any one of them, or the Clerk, purchase, directly or indirectly, any claim or account against the County, or any order drawn upon the County Treasurer, for less than its face value, they shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof, shall be punished by fine or imprisonment in the discretion of the Circuit Court. And if any County Commissioner shall refuse or neglect to perform any duty required of him by law as a member of the Board of County Commissioners, he shall, for every such offense, forfeit the sum of two hundred and fifty dollars, and be removed from office.

Not to purchase claims against County.

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Annual estimates.

SEC. 31. County Commissioners shall, annually, on or before the first day of November of each year, prepare and make up the estimate for all County charges and debts for the fiscal year then ensuing, which shall contain a certain amount necessary for bridges, for repairing or rebuilding court houses and jails, for the poor, for accounts and claims of officers and all other persons, and for stationery, advertising, rent of office for Auditor and Treasurer, and other contingent expenses of this character, and the rate of taxation necessary to raise money to meet the same. The estimate so made up and approved by them shall be recorded by their Clerk, in a book kept for that purpose; and a fair copy thereof, with a statement of the amount of borrowed money due from the County, and of the amount of taxes due and unpaid at the time of making said estimates, signed by the Commissioners, and attested by their Clerk, shall, with the Treasurer's accounts, be made up and transmitted by the Clerk to the office of the Comptroller General of the State, to be laid before the General Assembly for approval.

To be transmitted to Comptroller General.

SEC. 32. It shall be the duty of the County Commissioners to furnish the County Auditor, School Commissioner and Treasurer of their respective Counties, office room, together with the necessary furniture and stationery for the same, which shall be kept at the court house of their respective Counties.

To furnish office room for County officers.

SEC. 33. That the County Commissioners of the several Counties in the State are authorized, whenever, in their judgment, it is necessary, to appoint one or more physicians, whose duty it shall be to furnish medical aid to the indigent sick in their respective Counties; and whenever accounts are rendered for the performance of such duty, the County Commissioners are to examine such accounts, and, if found correct, to audit the same, and give an order on the County Treasurer for their payment, out of the fund provided for other accounts and claims.

Medical aid to indigent sick.

SEC. 34. That the County Commissioners of the respective Counties of this State are authorized and required to provide suitable hospital accommodations in connection with the poor house, at or near the County seats of their respective Counties, where the indigent sick poor may receive medical and surgical aid, free of charge, and to appoint physicians thereto: *Provided*, That no physician so appointed to any of the hospitals shall charge for his services more than half the usual fees.

To provide hospital accommodations.

SEC. 35. That if, at any time, the court house of any County in this State shall be in course of reconstruction or repair, or from any other cause shall not be in condition to be occupied, it shall be the duty of the County Commissioners for such County to furnish suitable rooms for the accommodation of the Courts and public officers.

When to furnish accommodations for Courts, &amp;c.



SEC. 36. The County Commissioners of each County shall, on or before November 15 in each year, make a report to the Comptroller General, to be transmitted by him to the General Assembly, not only of the amount of taxes levied and collected in their respective Counties, but all accounts which have been allowed and settled, the number and amount of orders drawn upon the County Treasurer, the amount expended for rebuilding or repairing court house, jail, poor house and bridges; in fact, a detailed account of all their doings; and said report shall be made in such form as the Comptroller General of the State shall direct or prepare, or forward to them for such purpose; and upon failure so to report they shall be fined in a sum not less than two hundred nor more than five hundred dollars.

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Report to  
General Assembly.

SEC. 37. That no funds raised by taxation for any County purposes whatsoever shall be subject to levy under the process of any Court of this State.

Funds exempt  
from levy.

SEC. 38. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved April 13, 1875.

#### AN ACT TO PROVIDE FOR THE SETTLEMENT AND REDEMPTION OF CERTAIN CLAIMS AGAINST THE STATE.

Whereas there are outstanding and unpaid certain legislative pay certificates, Treasurer's bills payable, and claims passed by the General Assembly, amounting in all to about five hundred thousand dollars:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Gulick, Thomas S. Cavender and J. P. Southern, be, and they are hereby, constituted Commissioners of Claims, and shall constitute a "Commission on Claims."

Claims Com-  
mission.

SEC. 2. That the said Commission are hereby authorized and required to audit, as liquidated debts of the State, all pay certificates issued by both or either of the two Houses of the General Assembly prior to the present session which have been duly registered with the Clerks of the two Houses in accordance with the terms of a concurrent resolution of the General Assembly, passed December 21, 1874, and which shall be certified by the said Clerks to have been regularly and properly issued; also all bills payable, issued by the State Treasurer for money borrowed pursuant to the provisions

Duties of Com-  
mission.What claims to  
audit.



A. D. 1875.

May disallow  
fraudulent  
claims.

Duties of At-  
torney Gen-  
eral.

Claimants to  
surrender  
claims to Com-  
mission.

Commission to  
issue certi-  
ficates of in-  
debtedness.

Cancelled  
claims to be  
deposited with  
Comptroller  
General.

Holders to ac-  
cept settle-  
ment.

Disallowed  
claims to be re-  
turned to  
claimants.

Registry.

of a Joint Resolution of the General Assembly to provide for the payment of certificates issued by the General Assembly, approved March 12, 1872, and also all claims which, by any action prior to the present session, have been definitely fixed in amount and ordered to be paid: *Provided, however,* That nothing contained in this Section shall be construed to deny to the said Commission the authority to disallow, in whole or in part, any claim evidenced by such pay certificates, bills payable, or such action of the General Assembly, if the said Commission shall adjudge the same to be fraudulent, or shall for any other cause adjudge that the same, or any part thereof, is not a just, valid and proper demand against the State.

SEC. 3. That the Attorney General is hereby authorized and required to attend the sessions of the said Commission and represent therein the interests of the State, and shall receive such compensation therefor as shall be received by the members of the Commission respectively.

SEC. 4. That all persons desirous of securing the benefits of this Act shall surrender to the said Commission the pay certificates, bills payable, and other evidences of indebtedness in their possession which may pertain to their claims; and the said Commissioners are hereby authorized and required, upon the auditing and allowance of said claims, to cancel all the pay certificates, bills payable, and other evidences of indebtedness which may pertain to the claims so audited and allowed, and in lieu thereof shall issue to each claimant, or his assigns, a certificate of State indebtedness, which certificate shall be signed by the members of the said Commission, or a majority of them, and shall set forth the amount ascertained to be due to each claimant, and the terms and conditions on which the said certificate may be lawfully redeemed under the provisions of this Act. And the said Commission shall, in all cases, forthwith deposit in the office of the Comptroller General all such legislative pay certificates, bills payable, and other evidences of indebtedness so taken up and cancelled, with an accompanying memorandum signed by them, or a majority of them, showing their action in reference thereto, and the Comptroller General shall file the same, suitably marked and endorsed: *Provided,* That no claims shall be audited or allowed unless the holders thereof first agree to accept the terms of settlement provided for in this Act: *And provided, further,* That all evidences of indebtedness disallowed shall be returned to the claimants in the same condition as when received.

SEC. 5. That the said Commission shall make all needful rules and regulations for their government, and for the proper presentation and proof of claims. They shall, also, keep a registry of all claims presented to and acted upon by them, whether allowed or

disallowed, in whole or in part. They shall, also, keep a registry of all certificates of State indebtedness by them issued to claimants. They shall, also, keep a record of all their proceedings, and from time to time make to the Governor such reports as he may require.

A. D. 1875.

SEC. 6. That any person who may hold a certificate of State indebtedness, issued by said Commission, pursuant to the provisions of this Act, shall, upon presentation and surrender of the same at the office of the Comptroller General, be entitled to receive for the same four Comptroller General's warrants, numbered 1, 2, 3 and 4, respectively, each of them for one-eighth of the amount of the certificates of State indebtedness so presented and surrendered; No. 1 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1875; No. 2 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1876; No. 3 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1877; and No. 4 payable out of the taxes to be levied and collected for the fiscal year commencing November 1, 1878: *Provided, however,* That the amount of legislative pay certificates, bills payable, and other evidences of indebtedness, specified in Section 2 of this Act, and allowed, shall not exceed the sum of five hundred thousand dollars, nor the amount of warrants issued the sum of two hundred and fifty thousand dollars: *And provided, further,* That such warrants shall be issued in the order in which said certificates of State indebtedness shall be surrendered.

Comptroller General to issue warrants.

Amount limited.

SEC. 7. That the said Comptroller General's warrants shall bear upon their face the declaration that their payment is secured by the levy of an annual tax of one-half of one mill on the dollar, to be made upon the taxable property of the State for the fiscal years mentioned in the preceding Section, which declaration, so authorized to be expressed thereon, shall be deemed and taken to be a contract between the State and the holders of such Comptroller General's warrants respectively.

Warrants, what to contain.

SEC. 8. That an annual tax of one-half of one mill on the dollar upon the taxable property of the State be, and the same is hereby, levied to be collected for and during the fiscal years mentioned in Section 6 of this Act, for the purpose of paying and retiring the said Comptroller General's warrants as they may become due and payable. And it is hereby made the duty of the County Auditors of the several Counties in the State to include the tax herein provided for in the several annual levies, and the County Treasurers to collect the same at the same time and in the same manner as may be provided for the levy and collection of taxes for other State

Annual tax to pay same.

A. D. 1875.

Appropriation  
for same.Comptroller  
General to keep  
registry.

purposes for and during the fiscal years aforesaid; and the proceeds of the tax so to be levied and collected, or so much thereof as may be necessary, shall be, and the same are hereby, appropriated to the payment of the said Comptroller General's warrants as they may become due and payable.

SEC. 9. That the Comptroller General shall keep an exact registry of all warrants issued by him pursuant to the provisions of this Act.

Appropriations for ex-  
penses.

SEC. 10. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of four thousand dollars, if so much be necessary, be, and the same is hereby, appropriated, to be drawn on the warrant of the Governor, countersigned by the Comptroller General, and payable by the State Treasurer out of any moneys in the Treasury not otherwise appropriated.

SEC. 11. That this Act shall take effect immediately after its passage.

#### IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, S. C., March 19, 1875.

This Act was returned with the objections of His Excellency the Governor, Wednesday, March 17, 1875, 11:30 A. M. On the question of "reconsideration and passing the Act, the objections of His Excellency the Governor to the contrary notwithstanding," Mr. W. A. Hayne, a Representative from the County of Marion, raised the question of order, that the Act had become a law by the failure of the Governor to return the same to this House, with his objections, within the time limited by Article III, Section 22, of the Constitution. The Speaker (Hon. R. B. Elliott,) "ruled that the point was well taken, for the reason that Article III, Section 22, of the Constitution requires that 'if a Bill or Joint Resolution shall not be returned by the Governor within three days after it shall have been presented to him, (Sundays excepted,) it shall have the same force and effect as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall not have such force and effect, unless returned within two days after their next meeting.' The adjournment contemplated by the Constitution does not exist in this case. The Constitution says that unless the General Assembly, by adjournment, prevent the return of a Bill or Joint Resolution, which clearly means from one session to another or without day. In this case it was not even an adjournment for a period of more than three days, which could only have been ef-

fectured by the concurrence of the other branch of the General Assembly. The Act returned was presented to the Governor on Thursday, March 11, at 11:30 A. M., and the veto message bears date March 17, and was received this morning. The House took a recess from Thursday evening to Monday, 15th instant, at 7 P. M. The three days limited by the Constitution expired Monday, 15th instant, at 11:30. The House was not in session until 7 P. M., but the message could have been delivered to the Clerk of the House, or sent to the House at 7 P. M. The House was called to order, and although a quorum was not present, a sufficient number was present to compel the attendance of a quorum, and the message could have been received." On the question, "Shall the decision of the Chair stand as the judgment of the House?" the yeas and nays were ordered, resulting, yeas, 63; nays, 46.

A. D. 1875.

A. O. JONES,  
Clerk of House of Representatives.

## JOINT RESOLUTIONS.

JOINT RESOLUTION TO ALLOW THE HEIRS OF JAMES S. AND LANGDON BOWIE TO REDEEM A STORE AND LOT IN THE CITY OF CHARLESTON, FORFEITED FOR NON-PAYMENT OF TAXES. No. 1.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the heirs of James S. and Langdon Bowie be, and they are hereby, authorized to redeem from forfeiture for non-payment of taxes, a store and lot in the city of Charleston, on the south-east corner of Hasel and Meeting streets, upon payment to the Treasurer of Charleston County of all taxes, penalties and costs which are due, after which the County Auditor shall expunge the said store and lot from the forfeited land record of the County of Charleston.

Heirs of Bowie  
to redeem for-  
feited lands.

County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

Approved December 22, 1874.



A. D. 1875.

JOINT RESOLUTION TO ALLOW JOHN KATER TO REDEEM  
CERTAIN FORFEITED LANDS.

No. 2.

John Kater to  
redeem for-  
feited lands.County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Kater, of the County of Charleston, be, and he is hereby, allowed to redeem certain lands formerly owned by him in said County, consisting of three thousand four hundred and sixty-six acres, (3,466), which have become forfeited to the State, by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that he pay over to the County Treasurer of Charleston County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of Charleston County.

Approved January 21, 1875.

No. 3. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION EN-  
TITLED "A JOINT RESOLUTION TO APPOINT TRUSTEES UNDER  
THE WILL OF THE LATE DR. JOHN DE LA HOWE."Trustees under  
Dr. De La  
Howe's will.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled "Joint Resolution to appoint Trustees under the Will of the late Dr. John De La Howe," approved March 17, 1874, be, and the same is hereby, amended by striking out the names between the word "that," on the third line thereof, and the word "be," on the fourth line thereof," and inserting in lieu of the same the following names, to wit: "J. C. H. Turner, Esq., C. B. Guffin, Esq., James Wharton, Esq., Robert Jones, Esq., and J. Wardlaw Perrin, Esq."

Approved January 21, 1875.

No. 4. JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVE-  
STIGATE THE FINANCIAL AFFAIRS OF SUMTER COUNTY.Judge to ap-  
point Investi-  
gating Com-  
mittee.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Judge of the Third Judicial Circuit be, and he is hereby, authorized and directed to ap-

point a Committee of three to investigate the financial condition of Sumter County, and that said Committee have power to send for persons and papers, to administer oaths, and to take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County, from November 1st, 1868, to November 1st, 1874, and to report the result of their investigations to the first term of the Circuit Court in said County after the completion thereof: *Provided*, That said Committee receive no compensation for services rendered.

A. D. 1875.

Powers, &amp;c.

Approved January 21, 1875.

JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO REQUIRE ALL PERSONS HOLDING CLAIMS AGAINST THE COUNTY OF CLARENDON TO FILE A LIST OF SUCH CLAIMS IN THE OFFICE OF THE CLERK OF THE COURT."

No. 5.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled "Joint Resolution to require all persons holding claims against the County of Clarendon to file a list of such claims in the office of the Clerk of the Court," be, and the same is hereby, amended by striking out the words "within ninety days from and after the passage of this Joint Resolution," and inserting in place of the same the following words, to wit: "On or before the first day of September, 1875."

Time to register extended.

SEC. 2. That Section 2 of the same Joint Resolution be, and the same is hereby, amended by adding, at the end thereof, the following words, to wit: "After the same shall have been duly examined, approved and allowed by the Board of County Commissioners of said County."

Section 2 amended.

Approved January 30, 1875.

JOINT RESOLUTION TO ALLOW MRS. SUSAN E. McILWAIN TO REDEEM CERTAIN FORFEITED LANDS.

No. 6.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mrs. Susan E. McIlwain, of the County of Sumter, be, and she is hereby, allowed to redeem

Mrs. McIlwain to redeem forfeited lands.

A. D. 1875.

County Auditor to expunge same from forfeited land record.

certain lands, amounting to 172 acres in said County, forfeited for non-payment of taxes, upon payment to the County Treasurer of Sumter County of all taxes and costs due upon said land, after which the County Auditor shall expunge the said land from the forfeited land record of the County of Sumter.

Approved February 4, 1875.

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No. 7. JOINT RESOLUTION TO AUTHORIZE THE COMPTROLLER GENERAL TO REMIT A CERTAIN TAX PENALTY.

Tax penalty remitted.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized to have the penalty of fifty per cent., which was added to the assessed value of the Spartanburg and Union Railroad Company, in the year 1874, on account of failure to make their return at the proper time, remitted :

Proviso.

*Provided*, That the tax upon the property referred to in the said Joint Resolution be paid within sixty days from the passage thereof.

Approved February 4, 1874.

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No. 8. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE CLAIMS OF THE COLUMBIA GAS LIGHT COMPANY FOR GAS FURNISHED THE GENERAL ASSEMBLY.

Appropriation to pay claims.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sum be, and the same is hereby, appropriated, that is to say, the sum of three thousand one hundred and eighty-eight dollars and eighty-one cents, to pay the claim of the Columbia Gas Light Company for gas furnished the General Assembly and Executive offices.

Out of what moneys to be paid.

SEC. 2. That the State Treasurer be, and he is hereby, authorized to pay the said sum to the said Gas Light Company out of any money in the State Treasury received from fees of office of Secretary of State.

Approved February 6, 1875.

JOINT RESOLUTION TO RESTORE TO THE CHARLESTON LIBRARY SOCIETY THE TITLE TO CERTAIN FORFEITED LANDS FOR NON-PAYMENT OF TAXES, AND TO DECLARE THE SAME TO BE FREE FROM TAXATION.

A. D. 1875.

No. 9.

Whereas the Charleston Library Society, of Charleston, is a public library, in the sense of the Constitution, and is therefore exempt from taxation, and the lot at the north-west corner of Broad and Church streets, whereon the Charleston Library building now stands, was forfeited to the State, in May, 1874, for non-payment of taxes for the year eighteen hundred and seventy-three.

Preamble.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said lot be expunged from the record of forfeited lands, and that the title thereof be restored to the Charleston Library Society, and that said lot and buildings be held by said society free of taxes; and on the payment by the Charleston Library Society of all taxes, penalties and costs to the County Treasurer, which are due upon the lot in Meeting street whereon the Apprentices' and Minors' Library building formerly stood, the County Auditor shall expunge the same from the forfeited land record of the County of Charleston, and restore the title of said lot to the Charleston Library Society.

Lands re-  
stored.May redeem  
certain lot.

Approved February 8, 1875.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN CLAIMS OF THOMAS W. PRICE & CO., BY MAKING AN APPROPRIATION FOR THE SAME.

No. 10.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of twenty-one thousand six hundred and seventy-six dollars and thirty-five cents (\$21,676.35) be, and the same is hereby, appropriated to pay the claims of Thomas W. Price & Co., for the publishing of certain statements, returns, receipt lists and duplicates for the State of South Carolina, and that eight thousand nine hundred and seventy-one dollars and fifty cents (\$8,971.50) of the said appropriation shall be paid out of the contingent expenses of the Executive Department of the taxes collected for the fiscal year commencing November 1, 1874, and that twelve thousand seven hundred and four dollars and eighty-five cents (\$12,704.85) of the appropriation herein made, with interest at the rate of seven per cent. per annum, from the

Appropriation  
to pay claim.Out of what  
moneys pay-  
able.



A. D. 1875.

To surrender  
all vouchers.

time of the making of this part of the claim to its payment, shall be paid out of the taxes to be collected for the fiscal year commencing November 1, 1875: *Provided*, That the said Thomas W. Price & Co., at the time of payment, turn in and cancel all certificates or orders to the State Treasurer that they or their agents may have received in payment of amounts due them.

Approved February 9, 1875.

No. 11. JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE OFFICERS, ATTACHEES AND EMPLOYEES, AND CONTINGENT EXPENSES OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY.

Appropriation  
for officers, &c.,  
of General As-  
sembly.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay the certificates of the officers, attachees and employees, and contingent expenses, passed at the present session of the General Assembly, out of the moneys received as interest on deposits, fees of the Secretary of State's office, and so much of the revenues from phosphate royalty as may be necessary.

Approved February 18, 1875.

No. 12. JOINT RESOLUTION TO AMEND SECTION 3, CHAPTER CXI, OF THE GENERAL STATUTES.

Preamble.

Whereas the Judge of the Eighth Circuit has decided that there could be no Court held for Anderson County during the year 1875, owing to the fact that the jury lists were drawn by a Jury Commissioner whose term of office had expired; and

Whereas there can be no other jury list drawn for the said year, as the time in which the jury lists are to be drawn has expired, unless the General Assembly, by special Act, shall so order; therefore,

When jury  
lists may be  
prepared.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Chapter CXI of the General Statutes, which requires that the Board of Jury Commissioners shall prepare a jury list in each County in the month of January of each year, be so amended as to make it lawful for the said Board to prepare the jury lists for any

of the Counties in the State during the year 1875, before the fifteenth of March of said year, where there has been a failure or neglect to draw a jury in accordance with law.

A. D. 1875.

SEC. 2. That from the lists so prepared all grand and petit jurors, required by law for said year 1875, shall be drawn, summoned and returned in the same manner now prescribed by law.

Juries to be drawn from said lists.

Approved February 19, 1875.

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JOINT RESOLUTION TO ALLOW JOHN B. GOODWIN, FRANK GOODWIN AND JOSEPH HAWKINS TO REDEEM CERTAIN FORFEITED LANDS. No. 13.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John B. Goodwin, Frank Goodwin and Joseph Hawkins, of the County of Richland, be, and they are hereby, allowed to redeem certain lands formerly owned by them in common in said County, that is to say, forty-five (45) acres formerly belonging to J. B. Goodwin, fifty (50) acres formerly belonging to Frank Goodwin, and thirty-seven (37) acres formerly belonging to Joseph Hawkins, more or less, which have become forfeited to the State for non-payment of taxes, and the want of bidders at the sale of the same, on condition that they shall pay over to the County Treasurer of Richland all taxes and penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Richland.

J. B. Goodwin *et al.* to redeem forfeited lands.

County Auditor to expunge same from forfeited land record.

Approved February 23, 1875.

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JOINT RESOLUTION DIRECTING AND REQUIRING THE STATE TREASURER TO PAY CERTAIN MONEYS TO THE WIDOW OF THE LATE JUDGE GREEN. No. 14.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, directed and required to pay to the widow of the late John T. Green, Judge of the Third Judicial Circuit, the amount of the salary that would have been due to him for the present quarter of the current fiscal year ending April 30, 1875; also the amount

Salary due Judge Green to be paid to his widow.

A. D. 1875.

of \$243 balance of salary, which is still due for the years 1872-73, as appears by Treasurer's books; and such amount is hereby appropriated, to be paid out of proceeds of tax levy for salaries and contingents for fiscal year ending October 31, 1875.

Approved February 23, 1875.

No. 15. JOINT RESOLUTION TO ALLOW ELIZA SARAH SEABROOK TO REDEEM CERTAIN LANDS ON JOHN'S ISLAND, IN CHARLESTON COUNTY, FORFEITED FOR NON-PAYMENT OF TAXES.

E. S. Seabrook  
to redeem for-  
feited lands.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Eliza Sarah Seabrook, a minor, of Charleston County, be, and she is hereby, allowed to redeem certain lands owned by her on John's Island, in said County, which have been forfeited to the State by virtue of the non-payment of taxes, and the want of bidders at the sale of the same, on condition that she shall pay over to the County Treasurer of Charleston County all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Charleston.

County Audi-  
tor to expunge  
same from for-  
feited land re-  
cord.

Approved February 23, 1875.

No. 16. JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO RE-ISSUE TO R. J. MIDDLETON, SURVIVING TRUSTEE OF ADELE J. NEWTON AND CHILDREN, CERTAIN CERTIFICATES OF STOCK.

Preamble.

Whereas it appears, by the books of the State Treasurer, that there has been duly issued certain certificates of State stock, to the amount of ten thousand seven hundred and thirty dollars, (\$10,730,) to Thomas and R. J. Middleton, Trustees of Adele J. Newton and children; and whereas said stock has been lost or mislaid; and whereas it is equitable and just that the stock should be renewed on the part of the State; therefore,

Re-issue of  
stock to R. J.  
Middleton.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized to re-issue to R. J. Middleton, surviving Trustee of Adele J. Newton and children, certificates of stock of the

same amount, payable at the same time, and bearing the same rate of interest as those lost or mislaid; and the said R. J. Middleton is hereby required to deposit with the State Treasurer a bond, legally executed, in the penal sum of twenty-one thousand four hundred and sixty dollars, (\$21,460,) to indemnify the State against loss.

A. D. 1875.

Bond of indemnity.

Approved February 23, 1875.

JOINT RESOLUTION TO ALLOW EDWARD R. ARTHUR TO REDEEM CERTAIN FORFEITED LANDS IN RICHLAND COUNTY. No. 17.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward R. Arthur be, and he is hereby, allowed to redeem certain lands formerly owned by Gilbert Garner, now a bankrupt, which lands are in the custody of the United States District Court for South Carolina, situate in Richland County, and consisting of twelve hundred and eighty acres of land, more or less, which have become forfeited to the State because taxes were not paid thereon by the Assignee in Bankruptcy, nor were entered for taxation by him, by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that the said Edward R. Arthur, who is agent for three several judgment creditors of the said Gilbert Garner, shall pay over to the County Treasurer of Richland County the actual taxes due thereon for the years ending January 1, 1873, and January 1, 1874, without penalties or costs, after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Richland.

E. R. Arthur  
to redeem forfeited lands.

County Auditor to expunge same from forfeited land record.

Approved March 3, 1871.

JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE TERMS OF OFFICE OF COMPTROLLER GENERAL, SECRETARY OF STATE, TREASURER, ATTORNEY GENERAL, ADJUTANT AND INSPECTOR GENERAL, AND SUPERINTENDENT OF EDUCATION. No. 18.

Whereas Article XV of the Constitution of the State of South Carolina provides that an amendment or amendments may be made to the same, and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House, such

Preamble.



A. D. 1875.

Amendment  
relative to  
terms of office  
of State offi-  
cers.

amendment and amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and that the same shall be submitted to the qualified electors of the State at the next general election thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments, by yeas and nays, the same shall become part of the Constitution: *Provided*, That such amendment or amendments shall have been read three times, on three several days, in each House; and whereas the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina, which was agreed to by two-thirds of its members, to wit: "Strike out of Section 23 of Article III the word 'four,' occurring in the third line, and insert the word 'two,' so that the Section of the Constitution will read, when amended, as follows:

Term of office  
to be two years.

"SECTION 23. There shall be elected, by the qualified voters of the State, a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General, and Superintendent of Education, who shall hold their respective offices for the term of two years, and whose duties and compensation shall be prescribed by law;"

And whereas the said proposed amendment has been submitted to the electors qualified to vote for members of the General Assembly, at the "next general election" following the action of the General Assembly, and a majority of the said electors voting thereon have voted in favor of the same; therefore,

Amendment  
declared a part  
of Constitution.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, voting thereon, to wit: "Strike out of Section 23 of Article III the word 'four,' occurring in the third line, and insert the word 'two,' so that the Section of the Constitution will read, when amended, as follows:

"SECTION 23. There shall be elected, by the qualified voters of the State, a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General, and Superintendent of Education, who shall hold their respective offices for the term of

two years, and whose duties and compensation shall be prescribed by law," be, and the same is hereby, ratified and made a part of the Constitution of the State of South Carolina.

A. D. 1875.

Approved March 5, 1875.

JOINT RESOLUTION TO LEVY AND COLLECT A SPECIAL TAX No. 19.  
TO PAY PAST DUE INDEBTEDNESS OF SPARTANBURG COUNTY.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax of two mills on the dollar on the taxable property of the said County; said tax of two mills to be devoted exclusively to the payment of the past due indebtedness of said County.

Special tax  
of two mills.

SEC. 2. That the proceeds of the tax hereby levied shall be paid *pro rata* upon all claims passed and audited prior to the first day of November, 1874: *Provided*, That no portion of the amount raised by said levy shall be applied to the payment of any past indebtedness accrued on account of the probate of jurors' and witnesses' certificates in the Courts of Trial Justices in said County.

Proceeds,  
how payable.

Approved March 8, 1875.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CHESTERFIELD COUNTY TO LEVY A SPECIAL TAX. No. 20.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield County be, and they are hereby, authorized to cause to be levied and collected, at the same time and in the same manner as the general tax is levied and collected, for the fiscal year commencing November 1, 1875, a special tax of two (2)

Special tax  
of two mills.

A. D. 1875.

mills upon the dollar on all the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness, and such levy to continue from year to year until the same be paid.

Approved March 8, 1875.

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No. 21. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS TO PAY PAST DUE INDEBTEDNESS.

Special tax  
of two mills.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of said County; said tax to be devoted to the exclusive liquidation of the past due indebtedness of said County.

Approved March 8, 1875.

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No. 22. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF SUMTER COUNTY TO DEVOTE ONE MILL OF TAX LEVIED FOR COUNTY PURPOSES, FOR FISCAL YEAR 1874-75, TO PAYMENT OF PAST DUE INDEBTEDNESS OF SAID COUNTY.

One mill of  
tax for year  
1874-75 appli-  
cable to past  
indebtedness.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter County be, and they are hereby, authorized, to devote the proceeds of one mill of the tax levied and collected for County purposes for the fiscal year 1874-75 to the payment of the past due indebtedness of said County.

Approved March 8, 1875.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF MARLBORO COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF (1½) MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1875

No. 23.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marlboro County be, and they are hereby, authorized and directed to levy and collect a special tax of one and one-half mills on the dollar on the taxable property of said County, at the same time and in the same manner as provided by law for the collection of taxes for the fiscal year commencing November 1st, 1875, said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Special tax  
of two mills.

Approved March 9, 1875.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE TRUSTEES OF THE STATE ORPHAN ASYLUM TO REMOVE SAID INSTITUTION FROM THE CITY OF CHARLESTON TO THE CITY OF COLUMBIA.

No. 24.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of the State Orphan Asylum, now located in the city of Charleston, be, and they are hereby, authorized and directed to remove said State Orphan Asylum from said city of Charleston, and locate and permanently establish the same in the city of Columbia.

Asylum to be  
removed to  
Columbia.

Approved March 9, 1875.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CLARENDON AND FAIRFIELD COUNTIES TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF SAID COUNTIES, AND TO REGULATE THE MANNER OF DISBURSING THE SAME.

No. 25.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-



A. D. 1875.

Special tax of  
one and one-  
half mills.

eral Assembly, and by the authority of the same, That the County Commissioners of Clarendon and Fairfield Counties be, and they are hereby, authorized and required to levy and collect a special tax of one and one-half mills on the dollar on the taxable property of the said Counties, said tax to be devoted exclusively to the payment of the past due indebtedness of said Counties.

Proceeds, how  
payable.

SEC. 2. That it shall be the duty of the County Treasurers of Clarendon and Fairfield Counties to report to their respective Boards of County Commissioners of said Counties whenever they shall have collected one thousand dollars of the special tax herein provided for, at which time the said County Commissioners shall advertise for thirty days for sealed bids from parties holding checks or audited claims contracted prior to the 31st day of October, 1874; said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on the checks or audited claims.

Claims to be  
registered.

SEC. 3. That all persons holding claims against the Counties of Clarendon and Fairfield are hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of Clerk of Court, as provided for by a Joint Resolution requiring the registration of claims of said County.

SEC. 4. That all persons holding claims against the County of Fairfield are also hereby required to file a list of such claims, with the amount, date and particulars thereof, in the office of the Clerk of said County.

SEC. 5. That all Acts, parts of Acts, Joint Resolutions or parts of Joint Resolutions, conflicting with the provisions of this Joint Resolution, be, and the same are hereby, repealed.

Approved March 10, 1875.

NO. 26. JOINT RESOLUTION TO RATIFY THE AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA RELATIVE TO THE BOUNDARY LINE OF PICKENS AND OCONEE COUNTIES.

Preamble.

Amendment  
relative to  
boundary line  
of Pickens and  
Oconee.

Whereas Article XV of the Constitution of the State of South Carolina provides that an amendment or amendments may be made to the same, and that such amendment or amendments shall be agreed to by two-thirds of the members elected to each House, such amendment or amendments to be entered on the Journals, respectively, with the yeas and nays taken thereon; and that the same shall be submitted to the qualified electors of the State at the next general elec-

A. D. 1875

tion thereafter for Representatives, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments by yeas and nays, the same shall become part of the Constitution: *Provided*, That such amendment or amendments shall have been read three times, on three several days, in each House; and, whereas, the General Assembly, at its last session, did, in each branch, pass a Joint Resolution proposing an amendment to the Constitution of the State of South Carolina, which was agreed to by two-thirds of its members, to wit: "That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River;" and, whereas, the said proposed amendment has been submitted to the electors, qualified to vote for members of the General Assembly, at the "next general election" following the action of the General Assembly, and a majority of the said electors voting thereon have voted in favor of the same; therefore,

"Taxaway  
River" substituted  
for  
"White Water  
River."

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the amendment to the Constitution of the State of South Carolina, proposed and agreed to by two-thirds of the members of each branch of the last General Assembly, and voted for by a majority of the electors qualified to vote for members of the General Assembly at the last general election, voting thereon, to wit: "That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River," be, and the same is hereby, ratified and made a part of the Constitution of the State of South Carolina.

Amendment  
declared part  
of Constitution

Approved March 11, 1875.

#### JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO LEVY A SPECIAL TAX.

No. 27.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1875. and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and directed to levy and collect a special tax of three mills upon the dollar on the taxable property of said County, to be devoted exclusively to the building of a Court House in said County.

Special tax  
of three mills.

Approved March 11, 1875.

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No. 28. JOINT RESOLUTION TO RELIEVE L. J. JENNINGS, OF GREENVILLE COUNTY, OF AND FROM THE PAYMENT OF CERTAIN TAXES.

L. J. Jennings relieved  
of certain  
taxes.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. J. Jennings, of Greenville County, be, and he is hereby, relieved of and from the payment of taxes for the fiscal year ending 31st October, 1874, on goods to the value of four thousand and seventy dollars, destroyed by fire 16th November, 1874, being part of the goods to the value of five thousand two hundred and seventy dollars, assessed in his name in that County for the year 1874, and that the Comptroller General be, and he is hereby, authorized and directed to rebate the said taxes accordingly.

Approved March 11, 1875.

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No. 29. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO LEVY AND CAUSE TO BE COLLECTED A SPECIAL TAX OF THREE MILLS ON THE DOLLAR.

Special tax  
of three mills.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Abbeville County be, and they are hereby, authorized and directed to levy and cause to be collected a special tax of three mills on the dollar of all the taxable property of the said County, to be collected at the same time and in the same manner as the State and County taxes for the fiscal year commencing the first

day of November, 1875, and to be devoted to the payment of the past due indebtedness of the said County. A. D. 1875.

SEC. 2. That all claims to be paid out of the said special tax shall be registered in the office of the County Commissioners on or before the first day of October, 1875. Claims to be registered.

SEC. 3. That any balance of the said special tax remaining in the County Treasury, after payment of the said claims, shall be applied, first, to the payment of any deficiencies that may occur during the fiscal year ending the thirty-first day of October, 1875, and, second, to the building or repairing of the bridges of the said County. Balance, how to be used.

Approved March 11, 1875.

JOINT RESOLUTION TO RELIEVE H. L. BUCK, OF HORRY COUNTY, OF CERTAIN TAXES ON PROPERTY DESTROYED BY FIRE ON THE 9TH DAY OF AUGUST, 1874. No. 30.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry L. Buck, of Horry County, is hereby declared to be relieved of taxes assessed against him for the year 1874, on certain property possessed by him on the first day of July, 1874, consisting of an extensive saw mill and lumber establishment, on his premises in said County, which was destroyed by fire on the ninth day of August, 1874, which property was assessed at ten thousand dollars; and the Comptroller General is hereby authorized and directed to relieve the said H. L. Buck of the payment of the tax so assessed. H. L. Buck relieved of certain taxes.

Approved March 11, 1875.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN MONEYS TO S. W. MCKENZIE. No. 31.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to pay to S. W. McKenzie, out of any moneys in the State Treasury not Overpaid taxes refunded.



A. D. 1875.

otherwise appropriated, the sum of two hundred and forty-three (243) dollars, being the amount received by the State from the sale of certain forfeited lands in Richland County, formerly belonging to him, over and above the amount of taxes, costs and penalties due upon the said lands at the time of forfeiture, and also the sum of thirteen dollars and forty-four cents (\$13.44), being the amount of the State tax and penalty paid by him upon said lands on assessment erroneously made in his name, after the said lands were forfeited.

Appropriation  
for same.

SEC. 2. That the sum of two hundred and fifty-six dollars and eighty-nine cents (\$256.89) be, and the same is hereby, appropriated for the payment of the amounts hereinbefore mentioned.

Approved March 17, 1875.

No. 32. JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO LAY OUT AND OPEN A PUBLIC HIGHWAY IN SAID COUNTY.

County Com-  
missioners to  
lay out new  
highways.

Route.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized and directed to lay out and open a public highway in said County, commencing at or near Paul Black's store, on the Calk's Ferry Road, and from thence by the most direct and practicable route by way of P. J. Rawls' Mill, on Beaver Dam Creek, crossing the Wyse's Road at or near Uriah Ranch's, and intersecting the Leaphart Road at or near Col. Caughman's old place.

Approved March 17, 1875.

No. 33. JOINT RESOLUTION TO RELIEVE A. HENDRIX, OF PICKENS COUNTY, FROM THE PAYMENT OF TAXES DUE ON PROPERTY DESTROYED BY FIRE.

A. Hendrix  
relieved of  
payment of  
certain taxes.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Hendrix, of Pickens County, be, and he is hereby, relieved from the payment of taxes due on property destroyed by fire on the 8th day of November, 1874, as assessed against said property for the year 1874.

Approved March 17, 1875.

## JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF CHARLESTON COUNTY.

A. D. 1875.

No. 34.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. A. Trenholm, Aaron Logan, P. C. Lawrence, F. J. Pough, E. J. Logan, T. B. Jones, A. F. Farrar, be, and they are hereby, appointed a Committee to investigate the financial condition of Charleston County, and that said Committee report back to this General Assembly as soon as is practicable; and that the said Committee have power to administer oaths and take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County: *Provided*, That no expense be thereby incurred by the State or said County.

Committee.

Powers.

Proviso.

Approved March 17, 1875.

## JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF THE SAID COUNTY.

No. 35.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills upon the dollar on the taxable property of the said County; said tax to be devoted exclusively to the payment of the past due indebtedness of the County.

Special tax to be levied.

Approved March 17, 1875.

A. D. 1875.

No. 36.

JOINT RESOLUTION TO PROVIDE FOR A RE-ASSESSMENT OF  
REAL ESTATE IN THE COUNTY OF GREENVILLE IN THE YEAR  
1875.

Preamble.

Whereas the assessment of real estate in the County of Greenville, in the year 1874, was, in many respects, not in conformity to law, and does not represent the true value of said real estate; therefore,

Re-assessment  
of real estate  
to be made.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, required to cause to be made a re-assessment of the real estate in said County in the present year in accordance with law.

Approved March 20, 1875.

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No. 37. JOINT RESOLUTION GIVING J. HAMMOND FORDHAM, ESQ.,  
CORONER ELECT FOR ORANGEBURG COUNTY, FURTHER TIME  
TO EXECUTE HIS BOND.

Preamble.

Whereas it is a fact that the bond of J. Hammond Fordham, Esq., Coroner elect of Orangeburg County, State of South Carolina, was approved by the County Commissioners of said County, but reached the Secretary of State's office after the expiration of the time prescribed by law, by no fault, however, of the said J. Hammond Fordham; therefore,

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time for the executing of J. Hammond Fordham's bond, as Coroner of Orangeburg County, be extended twenty days after the passage of this Joint Resolution, and that he be required to have his bond duly executed on or before that day.

Extension of  
time for quali-  
fication.

Approved March 20, 1875.

JOINT RESOLUTION DIRECTING AND REQUIRING THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO DEVOTE ONE MILL OF THE TAX LEVIED AND COLLECTED FOR THE FISCAL YEAR 1874-75 TO THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1875.

No. 38.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized and required to devote one mill of the tax levied and collected for the fiscal year 1874-75 to the payment of the past due indebtedness of said County, to be paid on checks drawn by the said Board of County Commissioners upon the County Treasurer.

County Com-  
missioners to  
levy special  
tax.

Approved March 20, 1875.

JOINT RESOLUTION TO MAKE CERTAIN CLAIMS AGAINST THE COUNTY OF EDGEFIELD PAYABLE OUT OF THE PROCEEDS OF THE SPECIAL TAX AUTHORIZED BY A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL TAX OF THREE MILLS, TO BE LEVIED AT THE TIME OF THE GENERAL TAX," APPROVED DECEMBER 22, 1873.

No. 39.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all past due claims which have heretofore been audited and allowed by the County Commissioners of Edgefield County, prior to October 31, 1874, shall be, and are hereby, made payable out of the proceeds of the special tax levied and collected with the general tax of 1874, under the provisions of the Joint Resolution approved December 22, 1873, entitled "Joint Resolution to authorize the County Commissioners of Edgefield County to levy a special tax of three mills, to be levied at the time of the general tax."

Past due  
claims to be  
paid out of spe-  
cial tax.

Approved March 22, 1875.



A. D. 1875.

No. 40.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO LEVY AND COLLECT A SPECIAL TAX.

Special tax to  
be levied.

How to be  
applied.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar on all the taxable property of said County, for the fiscal year 1875-76, the said tax to be used exclusively in the payment of expenses incurred in the construction of the public road directed to be established under the provisions of an Act entitled "An Act to establish a public road in Colleton County," approved February 27, 1873, and Acts amendatory thereto.

Approved March 25, 1875.

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No. 41. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF CHESTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX, AND TO REGULATE THE MANNER OF DISBURSING THE SAME.

Special tax  
of  $1\frac{1}{2}$  mills.

Holders of  
claims to file  
same.

Treasurer to  
pay.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chester County be, and they are hereby, authorized and directed to levy and collect a special tax of one and one-half mills upon the dollar on the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness of said County.

SEC. 2. That all persons holding claims against said County be, and they are hereby, required to file the same, properly proven, with the Clerk of the Court of said County; and the said Clerk of the Court shall classify and register, in a book provided for the purpose, all of said claims in the order in which the County Treasurer shall pay them; after which the said Clerk shall return all of said claims, so proven and classified, to the County Commissioners of said County, whose duty it shall be to issue to the holders of said claims a check upon the County Treasurer, payable whenever said special levy shall have been collected, as hereinbefore provided.

Approved March 25, 1875.

JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION AUTHORIZING AND REQUIRING THE STATE TREASURER TO PAY TO THE COUNTY TREASURER OF GREENVILLE COUNTY THE SUM OF TEN THOUSAND AND FIFTY DOLLARS, TO BE APPLIED TO FREE SCHOOL PURPOSES," APPROVED MARCH 14, 1874.

A. D. 1875.

No. 42.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled "Joint Resolution authorizing and requiring the State Treasurer to pay to the County Treasurer of Greenville County the sum of ten thousand and fifty dollars, to be applied to free school purposes," approved March 14, 1874, be, and the same is hereby, amended as follows, to wit: By inserting after the figures "1873," on the fourth line from the end thereof, and before the word "*Provided*," on the third line from the end thereof, the following words and figures: "And any unexpended balance of said sum or appropriation, remaining after the payment of said claims for the fiscal year ending October 31, 1873, shall be applied to the payment of the unpaid school claims of said County for the fiscal years ending October 31, 1874, and October 31, 1875."

Unexpended  
balance, how to  
be applied.

Approved March 25, 1875.

JOINT RESOLUTION TO REMOVE THE DEAF, DUMB AND BLIND ASYLUM TO THE CITY OF COLUMBIA. No. 43.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor, State Superintendent of Education and Secretary of State be, and they are hereby, authorized and empowered to enter into such arrangements and negotiations, and to fully carry out the same, as may be necessary to effect a removal of the Deaf, Dumb and Blind Asylum, at present located in the County of Spartanburg, to the city of Columbia.

Board created  
to effect  
removal.

Approved March 25, 1875.

A. D. 1875.

No. 44.

JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO LEVY AND COLLECT A SPECIAL TAX TO PAY PAST DUE INDEBTEDNESS OF SPARTANBURG COUNTY," APPROVED MARCH 8, 1875.

One-half  
mill to be de-  
voted to repairs  
to bridges.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution approved March 8, A. D. 1875, which authorizes and requires the County Commissioners of Spartanburg County to levy and collect a special tax of two mills on the dollar on the taxable property of said County, for the payment of past due indebtedness of said County, be so amended as to authorize and empower the said County Commissioners of Spartanburg County to devote one-half mill of the said two mills provided for past indebtedness to the repairing and construction of bridges in the County of Spartanburg.

Approved March 25, 1875.

No. 45. JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED A 'JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE.'" "

W. D. Mars  
named instead  
of C. B. Guffin.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of a Joint Resolution entitled a "Joint Resolution to appoint Trustees under the will of the late Dr. John De La Howe," be, and the same is hereby, amended by striking out, wherever it occurs, the name of C. B. Guffin, Esq., deceased, in said Joint Resolution, and inserting in lieu thereof the name of W. D. Mars."

Approved March 25, 1875.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE STATE  
TREASURER TO BORROW A SUFFICIENT AMOUNT FOR THE PAY-  
MENT OF THE EMPLOYEES OF THE GENERAL ASSEMBLY, AND  
FOR OTHER PURPOSES.

A. D. 1875.

No. 46.

*Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized, immediately upon the passage of this Joint Resolution, to negotiate for the loan of a sum not exceeding twenty thousand dollars, at the rate not to exceed one and one-half per cent. per month, to pay the employees and contingent expenses of the General Assembly for the present session, said sum, together with the interest, to be repaid out of the revenue derived from phosphates during the current year, as is provided for in the Joint Resolution approved the 18th day of February, A. D. 1875, entitled "Joint Resolution to provide for the payment of the officers, attachées and employees, and contingent expenses of the present session of the General Assembly."

State Treas-  
urer to nego-  
tiate loan.

How to be  
applied.

Approved March 26, 1875.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CON-  
STITUTION OF THE STATE OF SOUTH CAROLINA.

No. 47.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State be submitted to the qualified electors of the State, at the next general election, and, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election, and before another, ratify the same amendment, by yeas and nays, it shall be part of the Constitution, to wit: That Section 5, Article X, be amended so as to read as follows:

Proposition.

"SECTION 5. The Boards of County Commissioners of the several Counties shall levy an annual tax of not less than two mills on the dollar upon all the taxable property in their respective Counties, which levy shall not be increased unless by special enactment of the General Assembly, for the support of public schools in their respective Counties, which tax shall be collected at the same time and by the same officers as the other taxes for the same year, and shall be

Amendment.



A. D. 1875.

held in the County Treasuries of the respective Counties, and paid out exclusively for the support of public schools as provided by law. There shall be assessed on all taxable polls in the State an annual tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes: *Provided*, That no person shall ever be deprived of the right of suffrage for the non-payment of said tax. No other poll or capitation tax shall be levied in the State, nor shall the amount assessed on each poll exceed the limit given in this Section. The school tax shall be distributed among the several school districts of the Counties, in proportion to the respective number of pupils attending the public schools. No religious sect or sects shall have exclusive right to, or control of, any part of the school funds of the State, nor shall sectarian principles be taught in the public schools."

Question of adoption, how to be submitted.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot, with the following words written or printed thereon: "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot, with the following words written or printed thereon: "Constitutional Amendment—No."

Approved March 26, 1875.

No. 48. JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF CERTAIN MONEYS TO THE LATE COUNTY COMMISSIONERS OF DARLINGTON COUNTY.

County Commissioners to draw warrants.

*Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Darlington County be, and they are hereby, directed and required to draw their warrants on the County Treasurer of the said County, in favor of Jonathan Wright, F. A. Thomas and Jackson A. Smith, late County Commissioners of the said County, for the sum of five hundred dollars each, being the amount expended by each of them for counsel fees in a certain suit brought against them, as such Commissioners, in 1870, with lawful interest thereon from the time of such expenditure; and the said County Treasurer be, and he is hereby, directed and required to pay the amount of said warrants out of the taxes levied and collected for the current fiscal year, to be applied exclusively to the settlement of the past indebtedness of the said County.

Treasurer to pay.

Approved March 26, 1875.

# I N D E X

TO

VOLUME XV

OF THE

## STATUTES AT LARGE

OF THE

STATE OF SOUTH CAROLINA.

---

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED  
TO FORM AN INDEX TO THE FIFTEENTH VOLUME OF THE  
STATUTES AT LARGE, COMMENCING WITH THE ACTS OF THE  
REGULAR SESSION OF 1871-72 AND ENDING WITH  
THE ACTS OF THE REGULAR SESSION OF  
1874-75.

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COLUMBIA, S. C.  
CALVO & PATTON, STATE PRINTERS.  
1878.



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